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First Session, 35th Parliament

Official Report of Debates (Hansard)

Wednesday 8 May 1991

Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le mercredi 8 mai 1991

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers





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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 8 May 1991

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

POLLUTION CONTROL

Mrs Sullivan: Eight months ago, the people of Ontario elected a New Democratic government, in part because they were led to believe that the NDP was serious about its environmental promises. While in opposition, the now Minister of the Environment missed no opportunity to accuse the government of inaction and lack of commitment to clean water.

The minister's rhetoric was just that. The minister said that the municipal-industrial strategy for abatement program, introduced by the Liberals, would not achieve zero discharge of toxic chemicals into our lakes and rivers. Now, in her role as minister, she refuses even to define what she means by "zero discharge."

During the election, the NDP leader, now the Premier, identified Petro-Canada as the worst polluter in Ontario's petroleum industry. He expressed outrage that the Liberal government was not moving fast enough in bringing forward the MISA regulations that would require Petro-Canada to clean up its act.

Under the Liberals, the MISA abatement regulation for the petroleum refining sector was on track to be promulgated before the end of 1990. We are now five months into 1991 and there is no regulation. The question becomes, has MISA been abandoned altogether?

The only environmental initiative mentioned in the recent budget pertains to waste management. This seems an opportune time to remind the minister that her mandate goes beyond garbage and includes all aspects of the environment, including clean water for Ontarians.

LAND REGISTRATION

Mr B. Murdoch: Today I would like to express my strong opposition to the closing of the land registry office in the town of Durham. I am appalled at this action by the Minister of Consumer and Commercial Relations. She has shown a complete lack of understanding of the needs of rural Ontario. Does she not realize that an office such as this gives small towns an identity, and that by closing this office she has ensured that every lawyer, engineer, surveyor and municipal employee using these services will now have to travel an extra hour to Owen Sound and another hour back?

Who else will pay for this but the consumer, the person the minister purports to champion? As well, this senseless waste of driving time will result in increased gas consumption and pollution—hardly a responsible move from a government which supposedly prides itself on being environmentally sensitive.

The minister advances the false theory of saving money. This is ironic coming from a group of people who

think nothing of saddling us, our children and our grandchildren with an enormous \$9.7-billion deficit for one year. In any event, she is not saving money. The office in Durham is owned and maintained by Grey county.

All in all, I find this plan outrageous and vow to do whatever I can to make the minister see reason before she throws the whole province into chaos. Further, I find this minister ill advised and with no control over her staff. She should resign if she continues this plan.

WORLD RED CROSS DAY

Mrs Haslam: Henri Dunant's name may not be a household word, but the movement he founded around 1864, the Red Cross, is recognized the world over.

The Red Cross Society covers all nationalities, races, religions, political or social systems and is united in its determination to protect the victims of conflict and disaster. Members are pledged to do so impartially and neutrally, regardless of the identity or beliefs of those they help.

Dunant, a 31-year-old Swiss citizen, happened to arrive in Solferino, Italy, one day after a grim battle that left 40,000 dead and wounded on the battlefield. He quickly organized the villagers and set up improvised hospitals to care for the wounded from both sides of the conflict. The experience changed his life and Dunant's business activities became secondary while he sought a way to prevent or at least alleviate the suffering of victims of future wars. He proposed a worldwide network of volunteers, trained during peacetime, to care for the wounded during conflicts.

Today is World Red Cross Day. It is the celebration of the birth of Mr Dunant, who was awarded the first Nobel Peace Prize in 1901 for his contribution to humanity.

In most armed conflicts today, civilians account for 90% of the casualties. Of these victims, the great majority are women, children and old people.

Join the Red Cross today and remember the victims of war. So long as justice and peace have not replaced war, there is a responsibility to protect and assist its victims.

DRUG AWARDS WEEK

Mr Ruprecht: I would like to inform the members of this Legislature that the Focus Community On Drugs in Parkdale has kicked off a Drug Awards Week 5 May to 12 May. This community coalition has the responsibility to identify local needs and develop local solutions to the drug problem and its efforts should be congratulated. However, our fight against drugs cannot be won unless we get the co-operation of various ministries to create some sense of stability in that area.

The home ownership rate in south Parkdale is less than 8%. Our neighbourhood is filled with boarding and lodging houses, group homes, crisis care facilities and other housing of that type. I would only hope that the various ministers who are here today will listen to the people of

Parkdale and not permit any more of this type of housing to go into our area.

We will not be able to win the fight against drugs unless it is co-ordinated with the support services that are necessary to help people. Let this government create the supportive network that is essential to help persons and then we will be in a position to win the fight against drugs. Let's build a drug-free community.

1340

LAND REGISTRATION

Mr Arnott: I rise today to indicate my anger at the announcement yesterday by the Minister of Consumer and Commercial Relations that she intends to close the Arthur land registry office in my home town. For many years, the people of Wellington county have been able to rely upon the competent and efficient local government service from this registry office. The minister wishes to shut this office down and force my constituents to drive up to an hour to Guelph or Owen Sound, where they will receive less service than they do today.

This decision is unacceptable. We in rural Ontario are prepared to fight to keep these land registry offices open.

Yesterday's announcement by the minister is just one more example, if another one is needed, of how this government has little understanding of and no regard whatsoever for the problems and concerns of rural Ontario. That the provincial government in the past has opened local offices such as the Arthur land registry office is a tacit recognition that rural Ontarians are not second-class citizens. These offices indicated that rural Ontarians deserved a basic level of local provincial government service and that they were recognized as having legitimate needs. This minister's now closing the Arthur land registry office is sending a message to Wellington county residents that their needs are not legitimate and that their problems and concerns do not matter.

Taken together with last week's budget, which promised no new assistance to farmers, we can only conclude that in the NDP caucus and cabinet there are no effective advocates for rural Ontario.

I call upon the Minister of Consumer and Commercial Relations to review her decision to close the land registry offices and immediately retract her announcement of yesterday, and I call upon this government to wake up to the needs of rural Ontario.

PARLIAMENTARY PROCESS

Mr Drainville: I want to point out to the people of Ontario the misguided and undemocratic behaviour of the third party and its leader, the member for Nipissing, in continuing to obstruct the debate on the budget.

The member for Nipissing and his party pretend to be concerned about saving the taxpayers' money. Well, the foolish and wasteful antics of the third party in delaying the legitimate business of this democratically elected body are resulting in the—

Interjections.

The Speaker: While I appreciate that the member has caught the attention of some members of the House, I would appreciate the opportunity to hear the statement.

Mr Drainville: While members of the Legislature are obliged to listen to the leader of the third party pulling such stunts as spending the afternoon reading the names of bodies of water into the record, staff are paid by the taxpayers and this is costing hundreds of thousands of dollars. Those who work on Hansard, provide security, do translation, the attendants and the Speaker's staff, scores of employees of the Legislature, are having their time wasted along with the taxpayers' dollars that their services cost.

Surely the members of the third party and their leader should have respect for democracy, and admit that this party was given a mandate to govern and that their refusal to allow a timely debate on the budget amounts to a disregard and disrespect for the people of this province as well as a huge waste of money. It is time that the third party and its leader come to grips with the fact that they lost the last election, that the people of Ontario have elected the New Democrats and that they should be given a chance to govern.

CAT SCANNER

Mr Bradley: Once again I rise in the Legislature to urge the Minister of Health to approve the installation and operation of a second computerized axial tomography scanner for the Niagara region, where residents face the longest wait—four months—for elective scans of any area in the province.

This is a cross-border shopping issue, as thousands of Canadian dollars are flowing across the border from the government of Ontario and Ontario patients to the states of New York and Michigan for essential diagnostic scans.

This is a health care accessibility issue, as thousands of anxious Niagara residents stand in line to use the only CAT scanner to serve 370,000 people or are forced to travel to the United States for this important service.

This is a health cost issue, since people unable to get early access to a CAT scanner may be compelled to undergo exploratory surgery and other invasive measures, ultrasound tests, nuclear medicine or myelograms, all costly procedures, because of the lack of availability of another CAT scanner. Patients have been kept in hospital at an average cost of \$400 a day waiting for a scan, and the one scanner in the Niagara Peninsula requires costlier and more frequent maintenance as a result of the amount of use it receives and its age.

For the sake of the quality and cost of health care available to the people of Ontario, for the sake of beleaguered taxpayers who see their taxes heading south of the border while their own health care facilities go without, and for the sake of fiscal responsibility and the effective practice of medicine, the Minister of Health should give immediate approval for the operation of another CAT scanner in the Niagara Peninsula.

LAND REGISTRATION

Mr Villeneuve: The Minister of Consumer and Commercial Relations must cancel plans to consolidate land registry offices in rural Ontario. The minister obviously

has no idea of the effect her decision will have. She told the House yesterday that clients will benefit from more convenient locations. The minister obviously does not know how long it takes to drive from Alexandria to Cornwall or from Cornwall to Morrisburg and on through to Winchester and points north and west. Instead of a short drive down Highway 16 to Prescott, Kemptville clients and residents will have to keep on driving all the way to Brockville.

My riding will feel the effects of three closures. It is interesting to note that many of these closures are taking place right in eastern Ontario where economic times are difficult. Fully nine of the 14 closings are scheduled for eastern Ontario, and I do not think that is just a coincidence. Lawyers will be moving from towns where registry offices are being closed.

The minister, like most of her cabinet colleagues, feels that Ontario consists only of Toronto and that it is all right to ignore the needs of our rural communities outside Toronto. We should ask if the minister has ever been to the registry office in Alexandria, in Morrisburg or in Prescott to see first hand what the effect of these closures will do.

Regardless of claims made, no one in eastern Ontario can take seriously the government's claim to be looking after eastern Ontario's needs. It looks after the good of its union friends here in Toronto.

PLANT AGREEMENT IN HENSALL

Mr Klopp: Shortly after the 6 September election, the new Premier was asked when he was going to kick the powers that be off the ship, to which the Premier replied, "It's not a question of kicking anyone off the ship, but rather allowing all of us to be on the ship."

An example of this became very clear in my riding of Huron. Last fall in the town of Hensall, General Homes Manufacturing was under threat of closure, with 130 jobs to be lost. In late December, the union and laid-off management got together and realized they were not ready to let the plant die. They came to my office and asked what they could do. I informed them that they had already started doing, by getting together, recognizing their differences but realizing a common goal. Their co-operation made my job as a facilitator, providing information on how they could achieve their goal, a lot easier.

Their co-operative spirit expanded, and after many meetings and phone calls an agreement was struck. All of the players involved—the union, the Ministry of Industry, Trade and Technology, the bank, the purchaser and management—worked together to realize their goal. To the Canadian Imperial Bank of Commerce, which went that extra mile and recognized that no one wins when a plant is shut down; to the purchaser, who waited patiently for the agreements and discussions to be signed; and to the union, which through its collective agreement was able to speak with one voice, lending strength and showing willingness to take control of its future through co-operation, I would like to say a public thank you on behalf of the community. This goes to all the players in this success story. This is truly an example of what can happen when government allows all of the players to be truly on the boat.

1350

PARLIAMENTARY PROCESS

Mrs Marland: On a point of privilege, Mr Speaker: The member for Victoria-Haliburton has abused my privilege in this House. He has risen today in a statement and said that our party, and other reflections on our leader, is pretending to be concerned about the deficit budget and the irresponsible financial planning for the future of this province.

I would ask that you would suggest to this member, of all members, who is convicted of obstruction—he served a term in jail because of his own obstruction to a process—to withdraw his comments which affect my privilege, suggesting that I am pretending to be concerned. I am not pretending. Every one of our caucus is committed and sincerely concerned. We are not pretending anything, and for this member of all the members of the government party to be chosen to take this strong exception this afternoon is ludicrous.

The Speaker: To the member for Mississauga South, there is no doubt that there is a difference of a point of view with respect to certain items as they have been presented in this chamber. I do not regard any of the comments made, either by the member for Victoria-Haliburton or by yourself, to be unparliamentary or out of order.

STATEMENTS BY THE MINISTRY

VIOLENCE AGAINST WOMEN

Hon Ms Ziemba: Today I am acting as Minister with our Portfolio responsible for women's issues. I would be very remiss if I did not thank my colleague for her hard work and dedication on these issues, and especially for the statement that I am providing today. I know that we would all want to wish my colleague a speedy recovery, and we will be seeing her back in the House very shortly.

Today I am proud to announce details of the largest funding increase to date to tackle the pressing reality of violence against women in our society: \$20.3 million in new dollars.

A top priority of this government is social and economic equity for all women in Ontario. Every woman has the right to live with dignity, free of violence and as an equal participant in all aspects of our society.

Men do not have the right to control women through violence, yet even conservative estimates show that one in four women is sexually assaulted in her lifetime and almost one in five Canadian men living with a wife or partner admits to using violence against her. Clearly many women are not safe in their own homes or on the streets of our communities. The situation is urgent and demands consistent attention by all public policymakers.

By 1994, our government will combine our specific initiatives on wife assault and sexual assault prevention into a strong, comprehensive and ongoing program against all forms of violence against women. Building towards this, we are this year increasing the current wife assault prevention initiative with an additional \$12 million and expanding the focus on sexual assault with \$8.3 million in new dollars.

This new funding is in addition to the nearly \$66 million currently spent government-wide on wife assault and sexual assault prevention strategies. As well as the \$20.3 million in new dollars, the Ministry of Health will provide another \$1.1 million in new dollars from within its own budget. In total, we are assigning \$87 million to provide services, improve law enforcement and counteract the myths and perceptions which allow violence against women to continue.

Nearly 80% of the new funding is aimed at strengthening community-based services to the women who are victims of violence. For example, the previous core funding guideline of \$80,000 for each rape crisis centre fell far short of their real costs. We are therefore increasing our allocations for rape crisis and sexual assault centres more than 250%. That means more than \$5 million of the new sexual assault dollars will go directly to those centres which are often the first point of contact for assaulted women.

As many communities in the province do not currently have centres for women to turn to, a portion of these funds will be used to establish 10 new sexual assault centres.

In order to serve all the women in Ontario, battered women's shelters and counselling services must offer programs geared to the specific needs of disabled women, visible minority women, immigrant, native and francophone women. To this end we are providing \$4.6 million to improve the accessibility of services to these communities.

Ontario's existing 81 assaulted women's shelters are frequently operating at maximum capacity and have long waiting lists. More spaces for assaulted women and their children are a pressing need. In the coming year, 42 new beds and several new shelters will be provided as part of the \$2-million increase for these services. By March 1992, there will be 94 operating shelters in this province.

Provision of service alone will not, however, address the need for widespread public education and prevention work. The legacy of violence from one generation to the next must be broken. This critical aspect of our strategy involves an additional \$4 million.

A pilot project in seven schools will take up the particular needs of children who witness violence in their homes. Training materials on sexual assault will be created for teachers to use in elementary and secondary schools. Professional development programs on wife assault for teachers and education professionals will be expanded.

Incentive funding will be available to universities and colleges for date rape and sexual assault prevention and awareness campaigns. New grants will be distributed to native organizations to improve community response to wife assault. Organizations addressing violence against women with disabilities will be supported with a new funding program.

While there are no easy solutions to violence against women, these are steps which will encourage all the institutions and members of our society to acknowledge their responsibility to work for an end to this problem.

We must thank the service providers, women's groups and individuals who have taken their time to help shape these initiatives over the past seven months. It is through

their long-standing efforts that violence against women is now acknowledged as a social concern, and it is their persistence that has paved the way for these much-needed improvements.

I would also like to take a few moments to thank the 18 ministries that have been working very hard on these initiatives, and in particular the Ministry of Community and Social Services and the Ministry of the Solicitor General.

Violence against women can no longer be excused as a private matter or one for which we blame the victims. The new funds we are announcing today are concrete evidence of this government's commitment to fair treatment to all Ontario citizens. The initiatives outlined illustrate our dedication to ending abuse in the lives of women. We are investing in the safety and integrity of more than half of our population. Social and economic equity for women is inconceivable without an end to violence.

This is our goal. We invite all sectors of Ontario society to work with us to achieve it.

1400

MINES ABANDONNÉES

ABANDONED MINES

L'hon. M. Pouliot : Je suis ravi d'avoir l'occasion de m'adresser à l'Assemblée législative au sujet de l'engagement du gouvernement à résoudre le problème des mines abandonnées en Ontario.

Aujourd'hui, notre province figure parmi les dix plus importants producteurs de minéraux au monde. La valeur des minéraux extraits en Ontario représente presque sept milliards de dollars. L'industrie emploie 80 000 personnes directement et indirectement et est essentielle à la prospérité de l'Ontario.

A basic objective for me as Minister of Mines is to promote mining in Ontario in a fiscally and environmentally responsible manner. A clean and healthy environment is indeed essential to the standard of living we wish to preserve and enhance. We have learned that economic growth is ultimately unsustainable if it neglects the environment and the wise management of our resources.

We must protect the environment, both when mines start operation and when they close down.

Last week's provincial budget further demonstrated this government's commitment to protecting and improving our quality of life. The Treasurer announced a three-year, \$10-million program to assess abandoned mine hazards and to undertake immediate remedial work on known high-risk sites.

I believe that environmental concerns are properly addressed in the regulations soon to be established under the new Mining Act. This will give us the authority to enforce stricter protection and rehabilitation standards now and in the future.

The new three-year, \$10-million provincial abandoned mine hazards abatement program will indeed strive to correct problems associated with abandoned mine sites, which include mine openings, derelict buildings, open pits and underground workings. Additional threats to public health and the environment—

Mr Nixon: Doesn't matter how inane the statement if you like the minister.

Hon Mr Pouliot: With high respect, may I continue? Additional threats to public health and the environment come from mine wastes, from acid discharge and heavy metal contamination. There are approximately 3,000 abandoned mine sites in the province, only 2% of which are considered high risk.

This new program will be administered by a committee comprised of representatives from the ministries of Environment, Natural Resources, Labour, Municipal Affairs, Northern Development and Mines.

Over half the funding of this program will be directed towards the rehabilitation of high-risk sites in communities such as Cobalt, Bruce Mines, Kirkland Lake and Timmins, with the rest going towards site investigations, research, public information and safety initiatives.

This year we are celebrating 100 years of partnership in mining. The Ontario Bureau of Mines, as members are well aware, was first established on 4 May 1891. Yes, it has been a century of progress for the province. Basic mining camps have grown into vibrant communities.

One characteristic has remained unchanged: the spirit of mining people who are committed to a strong mining industry for today and for the future.

La participation de notre province dans le secteur des ressources minérales a connu un long acheminement, à partir de la mise sur pied du Bureau des mines, en 1891, il y a 100 ans, jusqu'à aujourd'hui, avec l'établissement du ministère du Développement du Nord et des Mines. En tant que ministre des Mines, j'appuie une exploitation minière qui est sensible à l'environnement et aussi une installation minière dont nous pouvons tous, en tant qu'Ontariens, être fiers.

RESPONSES

VIOLENCE AGAINST WOMEN

Mrs Caplan: On behalf of our caucus I would like to respond to the statement made by the acting minister today, and say that on behalf of our caucus we wish the minister well and hope for her speedy return and share the sentiments of the acting minister today.

The announcement that was made of \$20.3 million in new dollars and an additional \$1.1 million from the Ministry of Health which is being found from within its budget, I think is a very significant announcement. Certainly the people of this province would believe, as I do, that this is a significant amount of money and it builds on a very strong foundation of a program that was begun several years ago.

I think the statistics the minister referred to in her statement today speak for themselves. When you have statistics that say that one in four women in our society will be sexually assaulted in her lifetime and one in five Canadian men living with a wife or a partner admits to using violence against that partner, they suggest not only that there is a need for programs for after the fact, but that awareness, public education and education for the officers who are the first often to intervene are all part of the comprehensive program. Certainly the Ontario women's directorate

has played a very important role in co-ordinating the many programs that are found scattered among a number of ministries of the government.

I want to point out, however, that this statement did not mention the salaries in the shelters, and the budget that was presented did not continue the agency compensation package. It is very important, if the program is going to have the kind of stability it needs, that we recognize the very low wages of the women working in those important community-based facilities. I would hope the government would address itself to that fact.

Ten new centres were mentioned. Five, in fact, were announced last summer. They were located in Waterloo, Peel, Brantford, Cornwall and Thunder Bay. I will be interested in the new locations that have been included in today's announcement. I hope those five centres that were announced last summer are included. There was one centre in Hamilton, Martha House, that was having a particular problem. I hope that not only is it included but that it is retroactive so that it will have the stability it needs.

I believe that in the paper this morning there was one concern, and that was that it mentioned a mobile service to deliver rural women to the cities. I have some concern about that as a public policy because it is our approach and we believe that women in rural communities should have access to those services and should not have to leave their rural community to access needed services. I did not notice that in the minister's statement and would appreciate some clarification.

I believe, as well, there is a need for counselling for batterers. Enforcement is of course extremely important, and I would hope and encourage every ministry to continue working with those grassroots organizations because they need the support and community development opportunities that can be offered through the Ontario women's directorate and others.

This is a significant announcement, and I would say about violence against women in our society that our goal of having safe and secure communities is in fact going to be enhanced by this very significant \$21-million announcement.

ABANDONED MINES

Mr Miclash: I must say that I appreciate today receiving some news from the Minister of Mines after seven months and nothing so far. I must go back to a quote that the minister repeated a good number of times during the estimates. He often said that the mining industry is a pillar in the economy of Ontario.

Today we have an announcement given to us about the closing up of abandoned mine sites. I was kind of hoping that today we would hear something about the opening up of mine sites, bringing forth something to the mining communities of the north: employment. The minister is well aware of a situation in my own riding where there has been nothing from his ministry.

Gold coins announcing the celebration of 100 years of mining are excellent. I agree that we must celebrate the past, but we must look to the future. We must look at the devastation of mining towns. What is the minister telling

the abandoned miners, the abandoned mining towns in the north, about mining and the mining industry in this province?

We are being outpaced today by Quebec, and the minister knows that. He knows that we are being truly outpaced. I have heard no announcements to tell us how this industry is going to be competitive in this country.

1410

Mr McLean: I want to comment on the statement made today by the Minister of Mines. It is certainly interesting to note that the minister announced a three-year, \$10-million program to assess abandoned mines. He did not include in his statement the \$35 million per year that the Treasurer announced in his budget he is going to raise from the miners. Shame on the minister for not mentioning that.

I am curious to find out if the minister is confident that the changes he is planning on making to the Mining Act will prevent future incidents similar to that which occurred in Matachewan when approximately 10,000 dump truck loads of tailings were washed down the river. I hope it will include that.

We support the principle of an environmentally sound mining industry and we hope that these new initiatives are a beginning. However, we are concerned with the maintenance and expansion of the mining industry. We hope this government will soon develop policies which will encourage investment and have some mines opening up for a change and have some expansion in this sector so that closure of mines will not be a major issue.

We are told that there are approximately 3,000 abandoned mine sites in the province and we certainly do not want to see any increase in the numbers of these abandoned sites happening in the future.

The minister also referred to the land owners being taxed. The indication I have in the budget is that it is about \$1 now that they are paying per acre. That is going to be increased to \$4. The Treasurer is gouging the mining industry with revenues that he needs and it looks good when he has a \$10-billion budget deficit. I cannot understand why he should have a deficit at all when he is spending \$10 million and taking in \$35 million per year. He is gouging the mining industry.

VIOLENCE AGAINST WOMEN

Mr Jackson: I would like to respond to the statement by the member for High Park-Swansea on behalf of the member for Scarborough West. At the outset, let me simply say that we appreciate her conveying the message for the member, but I notice from today's Toronto Star that it had access to the confidential cabinet document. I would recommend the Star article to all members of the House because it gives more details about the allocation than does the minister's statement today.

I would also indicate that I am rather disappointed with the minister in her capacity as minister responsible for senior citizens' affairs. Nowhere in this announcement do I see a reference to seniors or elder abuse, a matter which we have raised with her because of the alarming increase in statistics on seniors who are affected by violence.

Having said that, let me come to a couple of very important points. What the minister does not say in this announcement is that her government refused to give a positive answer to the Coalition of Rape Crisis Centres of Ontario for a stabilized funding formula. Most provinces in Canada have this. Ontario does not. This government said no to these shelters and to the interval house, to those persons providing shelter and those providing rape crisis centre counselling and intervention. This government said no to them about a stabilized funding base.

What is in this announcement, however, is another \$400,000 for more TV advertising. Although there are some who feel there is merit in that, the truth of the matter is that the telephones begin ringing and ringing with victim after victim when they see those ads on TV, and what do they find out? That there are not enough beds in this province, safe places for women to go to. The fact of the matter is, this is a most incomplete and inappropriate approach if all we are doing is encouraging people to report the crime of abuse but the police do not lay the charges, if the crown attorneys do not proceed to take them to court, and if they cannot find a safe place for themselves and their children to get away from an abusive situation.

This government is the only government in Canada which has refused to implement a victims' bill of rights. Those victims' bills of rights were put in place specifically for victims of domestic violence. The stories are long and continuous of women like Franca Capretta in Ottawa who spent more time in the intensive care unit from her husband having beaten her skull in than he spent in a prison or in a jail or in a courtroom. Those are the things we have to attack in this province.

WRITTEN QUESTIONS

Mr Runciman: Mr Speaker, I rise on a point of order under standing order 95(d). On 22 November 1990 I tabled an Orders and Notices question which reads as follows: "Inquiry of the ministry—Would the Minister of Consumer and Commercial Relations provide the names of each of the consultants commissioned by the ministry in fiscal years 1987-88, 1988-89 and 1989-90, the total expenditure on each report and the details of the tendering process for each report, or if applicable, the reason why the contract was not put up for tender."

Standing order 95(d) states:

"The minister shall answer such written questions within 14 calendar days unless he or she indicates that more time is required because the answer will be costly or time-consuming or that he or she declines to answer, in which case a notation shall be made on the Orders and Notices paper following the question indicating that the minister has made an interim answer, the approximate date that the information will be available, or that the minister has declined to answer, as the case may be."

Order paper questions are supposed to be answered within 14 days, yet it has been almost six months since I tabled this question. An interim answer was provided on 13 December. That answer predicted that the information would be available on 18 April. It has now been approximately

three weeks since the date the information was to be made available.

The failure to answer order paper questions is also a breach of privilege under the Legislative Assembly Act, paragraph 45(1)6, which states that a breach of privilege occurs when there is a refusal "to produce papers before the assembly or a committee thereof."

As a member of this assembly, I feel that I have a right to the access of information that is essential for me to do my job as a representative of the people of Ontario.

Mr Speaker, it is your responsibility to ensure that the standing orders of this assembly are complied with. The government has shown blatant disrespect for our standing orders by not answering this question. I ask you to take the necessary steps to enforce the standing orders of the Legislative Assembly of Ontario.

The Speaker: To the member for Leeds-Grenville, you indeed have a valid point of order. No doubt the minister to whom your concerns have been directed will have heard the remarks and you should anticipate a response.

1420

Mrs Marland: Mr Speaker, I rise on a point of order under standing order 95(d). On 22 November 1990 I tabled order paper question 118, which read as follows:

"Would the Minister of Culture and Communications provide the following information for the fiscal years 1987-88, 1988-89, 1989-90 and the year to date: (1) the number of speech writers employed full-time and on contract each year; (2) for each speaking engagement attended by the minister or deputy minister—the topic of the speech or remarks, the name of the individual speech writer, the page length of the address, and the contract fee paid or anticipated to be paid."

Standing order 95(d) states:

"The minister shall answer such written questions within 14 calendar days unless he or she indicates that more time is required because the answer will be costly or time-consuming or that he or she declines to answer, in which case a notation shall be made on the Orders and Notices paper following the question indicating that the minister has made an interim answer, the approximate date that the information will be available or that the minister has declined to answer, as the case may be."

Order paper questions are supposed to be answered within 14 days, yet it has been almost six months since I tabled this question. An interim answer was provided on 11 December 1990, but that answer predicted that the information would be available on 26 April 1991. It has now been 12 days since the date the information was to be made available—12 days on top of six months.

The failure to answer Orders and Notices questions is also a breach of privilege under the Legislative Assembly Act, paragraph 45(1)6, which states that a breach of privilege occurs when there is a refusal "to produce papers before the assembly or a committee thereof."

As a member of this assembly, I feel that I have a right to the access of information that is essential for me to do my job as a representative of the people of Ontario.

Mr Speaker, it is your responsibility to ensure that the standing orders of this assembly are complied with. The government has shown blatant disrespect for our standing orders by not answering this question. I ask you to please take the necessary steps to enforce the standing orders of the Legislative Assembly of Ontario.

The Speaker: To the member for Mississauga South, you indeed have a valid point of order. No doubt the minister to whom your concerns are directed has heard your remarks and you should anticipate a response.

Mr Runciman: Mr Speaker, I rise on a point of order under standing order 95(d). On 22 November, I tabled Orders and Notices question 86—

Hon Mr Rae: What year?

Mr Runciman: —1990—which reads as follows:

"Would the Minister of Consumer and Commercial Relations indicate the three travel agencies with which the ministry placed the greatest portion of its travel business for the fiscal years 1987-88, 1988-89, 1989-90 and the year to date for 1990."

Standing order 95(d) states:

"The minister shall answer such written questions within 14 calendar days unless he or she indicates that more time is required because the answer will be costly or time-consuming or that he or she declines to answer, in which case a notation shall be made on the Orders and Notices paper following the question indicating that the minister has made an interim answer, the approximate date that the information will be available, or that the minister has declined to answer, as the case may be."

Orders and Notices questions are supposed to be answered within 14 days, yet it has been almost six months since I tabled this question. An interim answer predicted that the information would be available on 15 January. It has now been approximately four months since the date the information was to be made available.

The failure to answer order paper questions is also a breach of privilege under the Legislative Assembly Act, paragraph 45(1)6, which states that a breach of privilege occurs when there is a refusal "to produce papers before the assembly or a committee thereof."

As a member of this assembly, I feel that I have a right to the access of information that is essential for me to do my job as a representative of the people of Ontario.

Mr Speaker, it is your responsibility to ensure that the standing orders of this assembly are complied with. The government has shown blatant disrespect for standing orders by not answering this question. I ask you to take the necessary steps to enforce the standing orders of the Legislative Assembly of Ontario.

Hon Miss Martel: On the same point of order, Mr Speaker: It is too bad the Tory research is so lousy, but that answer was tabled on 6 May 1991.

The Speaker: The member may be disappointed to know that he does not have a valid point of order on this particular occasion.

Interjections.

The Speaker: If I could capture your attention for a moment, I would like to take this opportunity just to remind members that, although it appeared to me that not every member in the assembly had his or her attention riveted on the person raising an alleged point of order, I have a responsibility to be able to hear what is raised, each and every word that is spoken. I would appreciate it if members would allow me that opportunity.

Mr Carr: Mr Speaker, I rise on a point of order under standing order 95(d). On 22 November I tabled Orders and Notices question 106, which read as follows:

"Would the Minister of Corrections provide a current description of every program administered by the ministry, funding allocated to that program for the fiscal years 1987-88, 1988-89, 1989-90 and 1990-91, and expenditures to date."

Standing order 95(d) states:

"The minister shall answer such written questions within 14 calendar days unless he or she indicates that more time is required because the answer will be costly or time-consuming or that he or she declines to answer, in which case a notation shall be made on the Orders and Notices paper following the question indicating that the minister has made an interim answer, the approximate date that the information will be available, or that the minister has declined to answer, as the case may be."

Order paper questions are supposed to be answered within 14 days, yet it has been almost six months since I tabled this question.

The failure to answer an order paper question is also a breach of privilege under the Legislative Assembly Act, section 45, which states that a breach of privilege occurs when there is a refusal to produce papers before the assembly or a committee thereof.

As a member of this assembly, I feel that I have a right to the access of information that is essential for me to do my job as a representative of the people of Ontario.

Mr Speaker, it is your responsibility to ensure that the standing orders of this assembly are complied with. The government has shown a blatant disrespect for our standing orders by not answering this question. I ask you to take the necessary steps to enforce the standing orders of the Legislative Assembly of Ontario.

The Speaker: The member for Oakville South indeed has a valid point of order. No doubt the minister to whom his concerns are directed has heard his remarks and he should anticipate a response.

1430

ORDER OF BUSINESS

The Speaker: In response to the point of order raised on Monday 6 May by the member for Carleton—and before reading the response, I would like to commend the member for Carleton for his very thoughtful presentation of his point of order—the member for Carleton moved a motion, "That this House pass directly to oral questions immediately following the completion of members' statements today." At the time, I indicated that unanimous consent was required to permit the member to move such a motion. I asked the House if there was unanimous consent

to permit the member for Carleton to move his motion. Unanimous consent was denied and as a consequence the motion was not put.

Subsequently, the member for Carleton rose on a point of order to ask that I give further consideration to the ability of members to place before the House this type of motion which the member had proposed to move.

The motion which the member for Carleton proposed to move is, I believe, without precedent in the Parliament of Ontario and that is why I agreed to thoroughly review the matter and report back to the House.

I have had reference to the three criteria established by Speaker Edighoffer in his ruling of Tuesday 17 April 1990 to determine if this motion is a legitimate motion and, if so, under what circumstances it may be moved. The three criteria established by Speaker Edighoffer are (1) whether there is an applicable standing order in the case; (2) whether this is a legitimate procedural motion in parliamentary tradition; and (3) if it is a legitimate procedural motion, whether it can be applied to our procedures at the Legislative Assembly of Ontario.

The standing orders adopted by the House in 1989 do not specifically provide for the motion which the member for Carleton proposed to move on Monday. My research on the matter has not turned up any example of such a motion being used in our Legislature. Having said that, I have had reference to the usage and precedents and parliamentary tradition in other legislatures to assist in determining if this motion may be a legitimate motion and, if so, under what circumstances it may be moved.

A similar motion, one for the House to pass from tabling of documents to motions, has been moved and, in the particular circumstances, found to be in order in the House of Commons of Canada.

I therefore find that a motion providing that the House pass directly from one specific item of the routine proceedings to another item of the routine proceedings to be a legitimate motion which is capable of being applied subject to the restrictions attached to the moving of dilatory motions in the Parliament of Ontario.

Such a motion is, as the member for Carleton has stated, dilatory in nature; that is, the effect of the motion, if carried, would be to put off further consideration of the business at hand by superseding all intervening routine proceedings and it could only be moved after the oral question period.

The routine proceedings have developed as an essential part of the business of the House and if they are not protected the interests of the House and the public it serves are likely to suffer severely. The moving of dilatory motions during routine proceedings is a very recent practice in the Parliament of Ontario and a relatively recent practice in other jurisdictions. It is a practice which can result in delay in the presentation of petitions, reports by committees to the House and the introduction of bills.

Members on both sides of the House have spoken to the importance of protecting the fundamental privileges members have under routine proceedings. To ensure that these fundamental privileges are preserved, I think it

essential that I clearly state the circumstances under which such a motion may be moved.

In his April 1990 ruling, Speaker Edighoffer enunciated the following characteristics which are:

1. The motion may be moved by any member on either side of the House who is legitimately in possession of the floor.
2. The motion may be moved only following the oral question period and before reaching the period for orders of the day, unless the House has unanimously agreed to permit the motion to be moved either before or during the oral question period.
3. The motion may be moved without notice.
4. The motion is not subject to amendment or debate and the Speaker is required to put the question to the House immediately it is moved by a member.
5. If a recorded division is requested, the division bell is limited to 30 minutes.
6. A division requested on any such motion shall not be deferred.

To this I would add that it would be irregular for such a motion to have any conditions attached. The motion should be pure and simple, like the motion for the immediate adjournment of the House or for the adjournment of the debate or that the House do pass to the orders of the day.

Motions such as the ones just cited and the motion proposed by the member for Carleton may not be moved until following the oral question period. I believe the reason for this is quite clear; it is to protect the very fundamental privilege of members to have a period where the government must submit on a daily basis its conduct of the affairs of the province to the scrutiny of the members, particularly those members in the opposition. Without such a provision, it would be open to a member to move and for the majority of the members in the House to agree to a motion the effect of which would be to preclude or supersede the oral question period. Such a situation would clearly not be in the best interests of the House, its members or the electorate.

Interjections.

The Speaker: I would appreciate it if the member for St George-St David would curb his enthusiasm.

I have had to make this decision in the absence of any clear direction in our standing orders. I want to say to all members that it is not my preference that I or other Speakers be repeatedly faced with situations where the Speaker must look to usage and precedents and parliamentary tradition in other jurisdictions in the absence of any clear or applicable rule in our Parliament. Clearly, it is in the best interests of all members that the House review such situations and, where possible, express itself so that the admissibility of a particular matter is clearly dealt with.

Again, in conclusion, I truly appreciate the very thoughtful presentation by the member for Carleton.

ORAL QUESTIONS

ONTARIO ECONOMY

Mr Nixon: I have a question for the Treasurer, who may reappear. In his absence, perhaps I could direct it to

the Premier. It has to do with the cost of our borrowing program.

The indication from the Treasurer is that he will require \$10 billion in the interests of the province and an additional \$5 billion in support of Ontario Hydro during this year. During the months the government has already been in office it has borrowed in excess of \$6 billion. It has been interesting to look at the increasing cost by way of interest for each of these loans in spite of the fact that the province has so far retained its triple A credit rating.

It has now come to the point that even though the triple A rating is established, jurisdictions such as Alberta and British Columbia, neither of which actually has the triple A rating, are actually able to borrow money at lower interest rates.

I would hesitate to suggest that the syndicate that does this work for the province of Ontario is inadequate or inefficient in any way, and the only other conclusion one may reach that I bring to the Premier's attention is that the people who are lending money on an international basis have a level of confidence that is already lower than triple A in the ability of the province of Ontario under the ministrations of an NDP government to repay the loan.

In my own view, that is of course not in doubt, but that is the operative factor when interest rates go up. I wonder if the Premier can give an indication of this matter, and perhaps he knows of some other factor that might be leading to the increased cost of these borrowings.

Hon Mr Rae: The Treasurer would be in a better position than I am to answer that question in detail. I can only tell the Leader of the Opposition that, from my knowledge, the government, together with Ontario Hydro, has been in the capital markets. Indeed, we have been in the capital markets for some time now. We have had absolutely no difficulty in getting the necessary finances for the government and the bonds that have been offered have been taken up, from my understanding and all discussions that I have had with the Treasurer and others, very quickly.

With respect to details of the financing costs, I will have to refer that to the Treasurer. Perhaps the member could put that to him tomorrow.

1440

Mr Nixon: I will do that, but there are a couple of matters that flow from this that are of great importance to everybody here, certainly to the Premier and to all the taxpayers in the province.

The Financial Post reported on 2 May, "Ontario is now under Standard and Poor's credit watch with negative implications"—the last time I saw that I was the Treasurer—"and the indications are that the credit rating of the province is going to be reduced." I hope that will not happen, but I would say that it is practically inevitable since their procedure is clearly known.

I am interested also to know that the Treasurer is expecting to go to New York to plead his case. I am not sure of the efficacy of that. It may be that if it is useful, the Premier should accompany him, because there is no doubt at all that if that happens, with the huge amount of borrowing that is now concomitant in the budget that we should

be debating and that in fact would include this discussion in its debate if that were possible, this additional cost could amount to as much as \$40 million this year.

Since the Premier has the kind of interest in this as the head of the government must, but in general as any taxpayer would, can he indicate what efforts are being made to counteract the possibility of this downgrading? When I say it is inevitable, I hope I am wrong, but that is my projection and prediction. Is there any indication that my estimate of about \$40 million is incorrect?

Hon Mr Rae: Obviously the question of what our costs will be for the following year for the overall financial needs of the government will depend on a number of factors. The level of interest rates generally will be one factor that will have an impact.

Mr Stockwell: They came down.

Hon Mr Rae: The member for Etobicoke West points out quite rightly that they came down. He was in the House last week saying that one of the consequences of our budget would be higher interest rates. The following day, the Bank of Montreal reduced its prime rate. So much for his powers of prediction.

As the former Treasurer and Leader of the Opposition will know, in 1985, I believe, the province's credit rating was changed after the first budget was produced by the Liberal government. It went down from triple A to double A plus or whatever. This is not an unusual event.

Obviously in a recession we are running a deficit in the province and everyone knows that. The credit rating agencies are looking at governments across North America. They look at financial institutions across North America. I notice that yesterday the Toronto-Dominion Bank had its long-term credit rating reduced by one notch.

The Speaker: Could the Premier conclude his remarks, please.

Hon Mr Rae: There is not an institution in the province that has not been affected by the recession and where Standard and Poor's and Moody's and those elsewhere have not made their assessments. I can only say we are making a strong case in terms of our medium-term plans, we are making a strong case in terms of the need for us to get out of the recession and we are making a strong case in terms of our responsibility to all the taxpayers of the province, indeed to all the people of the province who are so devastated by this recession and who need the leadership of the government to respond. We have to do that.

The Speaker: Would the Premier conclude his remarks, please.

Hon Mr Rae: Perhaps Moody's and Standard and Poor's do not have to do it; we as a government do have to do it.

Mr Nixon: Mr Speaker, I hope I will be able to follow your direction in asking this question in a way similar to the Premier in his rather political response to the question.

I think everyone will know that the interest rates are going down because of the recession and because of changes in policy. What we are talking about is the additional cost to Ontario, which appears to be a mystery, and

which, I would put to you, Mr Speaker, and to the members opposite, is because of the insecurity of the lending community in the democratic socialist government of this province.

The Premier indicated that the Toronto-Dominion Bank lost its credit rating. The reasons given, which should give him concern as they do me, were as follows: "Toronto-Dominion's high concentration of assets in central Canada, particularly in Ontario, is a reason for this. In addition, Ontario's large forecasted budget deficit and other relevant factors are causing a structural shift in Ontario's economy which does not bode well for a financial institution dependent on it."

The Premier himself indicated that the Toronto-Dominion Bank had lost its credit rating, with the idea that the province of Ontario might be somewhat similar. I would suggest to him that is probably the case, that in fact the Toronto-Dominion Bank is suffering for doing most of its business in Ontario because of the policies of this government.

Would the Premier not agree that the effect on credit ratings, commercially and with this government, is going to cost the taxpayers significant additional amounts of money because of fiscal irresponsibility on the part of him and his colleagues?

Hon Mr Rae: The notion that our problems began with the election of our government on 6 September and after his stewardship of the province is preposterous and is as partisan a statement as I have ever heard made by the Leader of the Opposition. Surely he, as Treasurer for five years, would assume some degree of responsibility for the fiscal circumstances and the economic circumstances facing this province today. Surely just a little bit falls on his lap and on the lap of that party which was in government for five years.

I say this to the Leader of the Opposition because he knows full well that the structural problems which he describes are problems which did not suddenly, with the snap of a finger, begin on the day of the election. Let me tell him we are facing changes in this province. We are facing a structural change. So is the state of New York, so is the state of Pennsylvania, so is the state of Ohio, so is the state of Michigan, so is the province of Quebec and so is the province of Manitoba.

We are all affected by this. We are taking our steps. If the member says that the TD Bank is suffering, let me tell him there are a lot of people who are suffering more than the banks in this province.

VISITOR

The Speaker: I have stopped the clock. Before continuing, before I get another flood of notes, members may wish to welcome to our gallery today a former Premier from the province of Manitoba, Howard Pawley.

HOSPITAL BEDS

Mr Nixon: I always know the Premier is concerned and his point is weak when he attacks the innocent former Treasurer and blames him for all of his problems. Whenever he pushes the applause button for his sycophantic

background music, he always has an argument that is bothering him.

I would like to direct a question to the Minister of Health, if I can have her attention for a moment. The minister would have read, as I did today, the reports in the media that there would be about 2,600 beds closed by the fall of this year. Can she give an indication of how her policy is going to respond to this indication of bed closures—which we experienced over the last five years but not, I believe, as dramatically as this—particularly since she has been able to find in support from the Treasurer an additional \$484 million for the medical practitioners? Would she indicate her level of priorities in this regard, particularly since we have to have a balance between the services of the practitioners and the hospital facilities in which they do their work?

Hon Ms Lankin: In fact, I agree with the member that there needs to be a balance struck. We have indicated the amount of increase in the budget towards physicians' services for this year. I would point out, as the member talks about that figure of over \$400 million, that a good portion of that, \$140 million, is a one-time retroactive. In terms of the base increase for this year, it certainly is not that significant an increase.

If the member looks to the hospital sector, we have increased the funding in the hospital sector by 9.5%.

Interjections.

1450

Hon Ms Lankin: The members opposite are responding to the comment about "not significant." I meant, as the member opposite said, of the over \$400 million.

The increase to the hospital sector was 9.5% in this year. That is an increase of more than \$600 million over the budget of last year to hospitals. I think one of the things that is important for us to look at, at this time of year in particular, as hospitals are going through that difficult process of sorting out their budgets and trying to understand the implications of reaching a balanced budget by the end of the year, is the balance between the kind of bed closures that happen every year leading into the summer, the temporary bed closures, and those that are really a trend in hospitals, which the ministry supports and which I think members on the other side would support, of moving from inpatient care to a greater amount of ambulatory care, day service care. I think that is an important shift in service.

The Speaker: Would the minister conclude her remarks, please.

Hon Ms Lankin: I think it is an important shift in service which we will continue to support. Perhaps I can address it further in supplementary.

Mr Nixon: I think my problem in this regard is that while she is prepared to say that the settlement with the doctors is partly for makeups in previous years, when the increase per year for the doctors was only \$200 million—an increase which she herself describes as inefficient and leading to difficulties in the system, which I of course reject—this year she is now saying that by spending \$474 million she is achieving a position of efficiency and development which is the goal that all of us would achieve.

I would simply say that by allocating \$474 million extra for medical practitioners this year and at the same time applying the kind of rules for the hospitals which mean that they will close more beds than ever before, her priorities are misaligned. How can she explain that apparent inadequacy in the establishment of her priorities, when the doctors, already the best paid in Canada, and whatever more they may need in order to perform properly, are in fact being allocated money by this minister that should be allocated to the hospitals so that their facilities can be maintained?

Hon Ms Lankin: I will try and explain that. I think that the settlement with the Ontario Medical Association is a complex one in terms of how it works, but again, I would urge the leader of the official opposition to look at his characterization of the over \$400 million carefully. Of that, \$140 million is retroactive money, a one-time lump sum, not folded into the base. True, it is being paid out in this particular year, but had it been paid out just before the end of the last fiscal year, before 31 March, it would have been in last year's budget.

In terms of the cost of medical services by physicians and the increase this year, we expect that we will be saving close to \$180 million from what would have been spent had we had a continuation of the trend. I do think that is important. I do think we need to make sure that we do not allow those open-ended services to go so that we cannot address some of the other determinants of health.

With respect to the second part of the member's question, in terms of the balance of expenditures in hospitals, again I urge him to look at the numbers and to see that in this year, when we are being urged to look at constraint and when dollars are very precious, we have in fact increased spending in the hospital sector by 9.5%.

The other problem you have is that if you suggest that those closures of beds are problematic, just in the fact that they are closures, in fact the ministry has been working towards this over the past couple of years. This government supports this trend to shift services from inpatient to ambulatory care. That means shorter hospital stays, that means more day surgeries, that means more community support.

Mr Nixon: We all agree that this is an important subject. I am afraid the minister and I are not going to agree on this, because her additional payments to hospitals for the administration of the hospitals were only \$420 million. The settlement with the nurses is going to cost an additional \$173 million. She is aware of this in much more detail than I but would certainly understand the difficult position that they are experiencing; that is, an agreement with the nurses, which was established some months ago and is a particularly expensive one.

While she is prepared to allocate for all of those great reasons that she supports, to the medical practitioners, \$484 million, the hospitals get only \$420 million for their additional huge new costs in dealing with nurses and otherwise. Once again, there is a clear indication that the minister has made a mistake in her allocation and may in fact have to return to the well for several more bucketfuls to

keep the hospitals functioning. Is she moving in that direction or does she feel that she can function with the money allocated?

Hon Ms Lankin: I think the amounts that we are talking about with respect to the doctors' settlement—while the Leader of the Opposition keeps focusing on it as an extraordinary amount, what he fails to focus on is the extraordinary saving of what that amount would have been had we not put an end to the open-ended, spiralling costs, had we not put in place a managed system for the first time in Ontario.

With respect to the moneys that are going to the hospitals, the increase is 9.5%. There is over \$7 billion being spent in the hospital sector this year. The nurses' settlement has taken place and the ministry has asked all of the hospitals to please let us know what the impact of that settlement is with respect to the individual hospitals, and by mid-June the hospitals will have all submitted their budgets.

We will be working with the hospitals to look at what the impact is in various areas. In fact, we expect that hospitals will look to cut back in certain areas. The ministry has rules on areas that they cannot cut back in. We will be working along with them to look at the impact of these budgets.

But may I say that the shift from expensive inpatient treatment to ambulatory care, to day surgery care is the exact shift that we need to make in this province if we are to free up money for many other needed services in terms of the determinative health care. It is not all the traditional health care system that money needs to be spent on.

BUDGET

Mr Harris: My question is for the Premier. I would like to recall for him a time that I know is now a very fond memory, when the Liberals were ringing bells for days on end protesting the budget in 1982. Let me quote from the Toronto Star of 18 May 1982, "New Democratic Party leader Bob Rae told reporters the budget should be referred to a standing committee of the Legislature for public hearings."

This is exactly what I have been asking for in this House for about a week. What has changed between then and now? Why is the Premier afraid of hearing from Ontario taxpayers and Ontarians who are concerned about losing their jobs? Why is he so opposed to sending this budget out for full public hearings?

Hon Mr Rae: In his budget, on page 16, the Treasurer talked very directly about how we are eager to have a more open budgetary process, how we are asking for the opinion of the standing committee on finance and economic affairs to deal with it very directly. Of course we are determined to see that we have a process which is contemporary and works better for the 1990s. The Treasurer said that in his budget.

I would say to the leader of the third party that we are eager to discuss the budget. He is the one who is ringing bells and raising points of order. A point of order was raised today which went on for several minutes and then

was answered by the House leader saying we had already answered the question.

I would say very directly to the leader of the third party that in the normal course of events there will be a House leaders' meeting, there will be a full discussion of this question as to how it can be resolved, but I really think that in the circumstances the normal course of events is a budget debate and then a chance to refer it to a committee. I would remind him that what was arrived at in 1982 was an agreement on all sides that the budget bills would in fact be referred to committee, and we have already indicated that we are quite happy to refer the matter of the budget bills to committee, that we are quite happy for them to go ahead to the committee—

Mr Speaker: Would the Premier complete his remarks, please.

Hon Mr Rae: —and that is precisely what took place in 1982.

1500

Mr Harris: The Premier knows very well that under the standing orders of 1982, which were quite different from today, they had no choice but to allow the bills to go out to hearings. He will also know that to discuss individual bills for taxes that the Treasurer is already collecting, in a committee where the government holds the full majority, where the Premier as dictator, as he has demonstrated, has no intention of allowing the majority of his committee members to reverse taxes that are already collected, will in fact serve no purpose at all.

The Premier said in 1982 that the whole budget should be referred to a parliamentary committee for hearings. If it was good enough in 1982, why is it not good enough today for his budget?

Hon Mr Rae: What the leader of the third party seems to object to is the fact that we have a majority in this Legislature. That is what he objects to. What he is saying is, what is the point of referring it to a committee if we have a majority on the committee? Well, I am sorry. All I can say is there was an election on 6 September and the government was elected to govern.

We are quite happy to have all the budget bills referred to a committee, but if he is asking us to give up our majority on committees and he is asking us not to be able to proceed with legislation as the government of the province of Ontario, basically what he is asking is for us to say, "The election on 6 September didn't count and the only budget we're going to be able to introduce is a Brian Mulroney budget." He is not going to be satisfied until this House turns itself into a chamber for Brian Mulroney's politics, and I am not prepared to do that.

Mr Harris: Let me say this to the Premier. I am not saying things did not happen on 6 September. Disaster struck. I also know who has the majority. I also know—

Interjections.

Mr Harris: Not me. It did not strike me. Disaster struck the province. I also know this—

Interjections.

The Speaker: It is quite evident that the leader of the third party has engendered a certain amount—
Interjections.

The Speaker: Will the members on the government side just relax. I realize that your interest has been aroused in the issue of the day, but the leader of the third party deserves the right to place his question and I have a responsibility to listen to it. I would appreciate your assistance.

Mr Harris: The Premier says I do not understand a majority. I do. It is exactly why sending tax bills, where tax is already being collected, to a committee is a ridiculous exercise in futility.

On 27 May 1982 the present Minister of Housing, former House leader for the NDP, said, "In view of the massive shift in taxation in this regressive budget, will the Premier agree to refer the 1982 budget in its totality to a committee of this Legislature, to go out and have public hearings and to talk to the people of this province...and get public feedback?"

I could not have said it better myself. Will the Premier not agree with his former House leader that with the four years of \$35 billion worth of debt, with four years of billions of dollars in tax increases, this is indeed a massive shift in taxation policy for this province, and according to his Minister of Housing, that then says the public should be heard on this massive shift and the whole budget should be sent out to hear from the taxpayers of this province?

Hon Mr Rae: The question in my mind is still this: Is the leader of the third party suggesting that the standing committee on finance and economic affairs, which meets in the normal course of events and which will continue to meet through this session and which has an agenda there before it, should not have a majority of New Democrats on it? Is he suggesting that the only committee that he would accept is a committee in which the New Democrats do not have a majority?

All I can say is that the Treasurer has already said in his budget that he is prepared to have a discussion with the members of the finance committee about what kind of a process people want with respect to future discussion. The question is there. It can be discussed. But I think the point has to be made again: What the leader of the third party appears to be objecting to really is whether or not this government has the right to present a budget, have it discussed, have it approved and have it dealt with in the ordinary way. That is what I have been hearing him say repeatedly for the last three days.

The Speaker: Would the Premier conclude his remarks, please.

Hon Mr Rae: If he has now shifted the ground under his feet because he sees the ground does not make any sense, it is up to him.

Mr Harris: Let me try again with a few questions to the Premier. The Premier should not put words into my mouth that are not the truth. I clearly said I understand he has a majority. Unlike the Premier, I did not prevent a Treasurer from reading the budget. I am also accepting the reality that he has a majority on the committee and that simply referring the budget bills there is an exercise in

futility. It is the whole budget that I want to hear from the public on.

GOVERNMENT SPENDING

Mr Harris: My second question to the Premier is this: The taxpayers of this province are calling my office daily. They are furious. They are telling me they fear for their jobs as a direct result of this budget. They believe the only way to end this recession and to save jobs in Ontario is to cut taxes and reduce government spending. They believe that this government, quite similarly to the Liberals before it, is wasting hard-earned taxpayers' dollars.

We get into why he is bankrupting this province, what he is spending it on. I wonder if the Premier could justify this expenditure for me: the Premier's office spending \$60 of the taxpayers' money in February to deliver one letter to a lady in Orillia, a letter, I might add, which replaced one that had been signed by the Premier's autopen. How can he justify 60 bucks for one letter out of his office?

Hon Mr Rae: I do not know exactly what the leader of the third party is referring to and I have no idea whether in fact that expenditure was made by the Premier's office or not. I can only say that he has made a number of allegations over the last few months and we will obviously have to look into this one, as into other ones.

Mr Harris: Clearly I think the Premier should know what I am talking about. I wonder how many other thousands have gone out like the one to the lady in Orillia for 60 bucks.

Let me ask the Premier to justify this waste of some of the \$10 billion that is being wasted. This one is a release from the Ministry of Transportation and it says this: "March 28, 1991. Attention all road users. The provincial government wants your opinions on the bicycle's role in transportation." In fact, the Minister of Transportation says, "You can voice your opinions in person this summer at public meetings."

Can the Premier tell us why he feels it is worth while spending \$200,000 of taxpayers' money to hold public hearings on bicycles and their role in Ontario, but he refuses to hold public hearings on a budgetary policy calling for \$35 billion in new debt, billions of dollars in new taxes over the next four years? Can he explain why \$200,000 for hearings on bicycles make sense, and nothing for hearings from the public on his budgetary policy here in this province?

1510

Hon Mr Rae: I must say to the leader of the third party, talk about mixing apples and oranges. There is an ongoing process that goes on in government. If the leader of the third party is saying that there is no interest in the public with respect to a number of recreational subjects which are normally discussed with the public, that is pretty strange.

If I wanted to talk about wasting money, perhaps I could ask the leader of the third party, does he have any idea how much money it costs to keep this place running for a day while he is reading out in the House the names of Feist Lake, Felcite Lake, Feldman Lake, Feline Lake, Felix Lake, Fells Bay, Felsen Creek, Felsen Lake, Felst Lake,

Felt Lake, Felto Lake? He wants to talk about wasting money? I will talk about wasting money.

Hon Mr Cooke: It's all a matter of priority, right, Mike?

Mr Harris: It is a matter of priorities. I want to say this to the Premier: We know his priorities, \$200,000 for bicycles, nothing for \$10 billion in debt. I make no apology—

Interjections.

The Speaker: I can appreciate that people are interested and excited, but curbing one's enthusiasm would make it a little easier to hear the question.

Mr Harris: I make no apology for standing in my place in this House, for fighting against \$35 billion, for trying to slow down the billions of money that he is wasting. I think that is a good use of this Legislature's time. The Premier may think a better use is to go ahead and spend more, but I do not.

The taxpayers of this province cannot afford to foot the bill for government waste and mismanagement. Yesterday the member for Mississauga South informed the government TVOntario had spent \$2 million to renovate a building it plans to vacate in three years. Let me give another example, since the Premier thinks bicycles are a good way to spend \$200,000. Let me give him another one.

There was a release that I have here that the Minister of Colleges and Universities rushed out \$127,000, just before year-end so they could use up the money, to Trent University and to Sir Sandford Fleming College for a study as to how they could share each other's facilities and staff.

Can the Premier explain to me why a simple phone call, or maybe even 25 bucks for lunch to get together to discuss how they could share each other's facilities and staff, would not do just as well as a \$127,000 study?

Hon Mr Rae: I cannot think of a more necessary direction from this government than to argue, looking at those two institutions, for getting them to work better together and finding ways to make that happen. But I would repeat my point to the leader of the third party: The whole purpose of a budget debate in this House, the whole purpose of the process that has been established, is to allow these questions to be asked and answered and to allow for that kind of discussion to take place. We are ready to begin that budget debate. We were ready to begin that budget debate last week. The leader of the third party wanted to talk about Chickadee Lake and Chicken Lake and Chickenfish Lake. That is what he has been wanting to talk about for the last 10 days.

MINISTERIAL RESPONSIBILITY

Mr Offer: I have a question to the Attorney General. In his statement to this Legislature on 29 April, he indicated that Deputy Attorney General Hogan received a telephone call from a member of the judiciary on Friday 12 April 1991. This telephone call was to the effect that: "The justice of the peace had told the judge he had received information from another justice of the peace regarding a letter allegedly from the Solicitor General. The judge was told this letter regarded a matter before the courts."

My question to the Attorney General is whether he will confirm today if he is now aware or has been made aware whether his deputy minister or any ministry official contacted anyone in the Premier's office regarding this matter from 12 April to 22 April, that date being the day this matter was made public?

Hon Mr Hampton: I can confirm to the member that no one in my office contacted the Premier's office regarding this matter.

Mr Offer: My question was very specific as to whether the Attorney General is now aware or has been made aware of any communication that took place between the dates of 12 April to 22 April. I ask the Attorney General whether he can confirm that there was no communication made by his deputy minister or by any of his officials to anyone in the Premier's office or indeed anyone in the cabinet secretariat from that period, 12 April to 22 April.

Hon Mr Hampton: To my knowledge, there was no communication.

CONTRACT SERVICES

Mr Tilson: My question is to the Chairman of Management Board. As a result of information obtained through Orders and Notices questions, I would like to ask the Chairman of Management Board to comment on the appropriateness of contract speechwriting for ministers and their deputies.

I would like to ask her if she is aware of the apparent lack of guidelines under the former government, which led ministers to use consultants and contract out work for almost every public utterance. I have given three examples. The first one is a 16-page Premier's statement in 1990 at a cost of \$7,735.29, which is approximately \$483.45 a page.

The second one is for a one-page ditty costing \$275 for the Minister of Tourism's opening of Ontario Place in 1988. That is like saying, "It's a lovely day and welcome to Ontario Place."

The third example is a \$1,200 stump speech prepared for the former Minister of Housing to deliver to the annual meeting of the Leeds-Grenville Liberal Association. There was also a 1990 speech made for the former Minister of Education for a throne speech debate, which cost \$1,120. Our information is that the minister did not even respond to the throne speech or made no comment with respect to the throne speech. The list continues. There are a number of examples that go on and on.

My question to the minister is, does she not agree that there is sufficient ministerial communication staff to take care of routine speeches and that these speeches ought to be prepared in-house? Does she plan to initiate measures within her own government to avoid this deplorable waste of taxpayers' dollars?

Hon Ms Lankin: I share the concern raised by the member opposite. I should say that one of the first questions I asked upon being sworn in as Chairman of Management Board and trying to look through all of the rules around tendering and contracting was, why do we contract out so much to consultants and others?

The member has touched one area which is a very big area in government, the use of consulting fees. He used the specific case of speechwriting. I could say to the member that it is used throughout governments at all levels and for all sorts of jobs, some of them perhaps appropriately because the expertise is not in government, others, I would argue, not appropriately because the expertise is there.

In some cases, policies of the past number of years of limiting wage dollars have meant that ministries have had more operating dollars to expend than wage dollars. They have used that as the way of responding to a need, to contract out.

The Speaker: Would the minister conclude her remarks, please.

Hon Ms Lankin: Because Mr Speaker is urging me to wrap up, I will just end by saying that I have asked for a review to be done of the use of consultants. When I get that and get an understanding of the breadth of it, we will put in place the kinds of procedures that would address those concerns. It will take us a bit of time, though.

Mrs Cunningham: My question is also to the same minister because, if she is going to do this work, I think it is important that she look into the work even of her own government.

In the Ministry of Skills Development, on 4 October 1990, there was a fee of \$850 paid for a very short speech. On 10 October, a week later, a fee of \$2,000 was paid outside to an open house meeting. The public should know about these things. It is my responsibility to bring it to the minister's attention. At Durham College on 15 November, this government paid a fee of \$1,170; again on 22 November, as far as I could get, fee paid of \$1,040. We expected things to change and they have not changed and we need them to change.

At this rate, \$5,060 went on four speeches—outrageous. I must say, right now at that rate they could have a full-time person for \$40,000.

The Speaker: The interrogative part.

Mrs Cunningham: Mr Speaker, my point is this: This ministry already has a full-time speechwriter. They have 18 full-time people. My question is this: I am saying right now, does the minister think it is appropriate, and on what date will she stop this total waste of hard-earned taxpayers' money?

1520

Hon Ms Lankin: I cannot say how it heartens me to hear members of the third party speak for the quality of civil service and for the fact that the work should be done inside the civil service and not contracted out. I appreciate their support on that matter, but I think the problem is a very—

Interjections.

Hon Ms Lankin: Mr Speaker, I compliment them and they yell at me. I do not understand this. Shall I continue?

The Speaker: This seems to be a day where people get excited. If folks would just relax for a moment, I could hear the brief response from the minister.

Hon Ms Lankin: The issue the members raise is one that I am concerned about, not just in terms of the use of consultants but of the contracting out that goes on. I would like to be able to give the member a date. I cannot at this point in time. It is a very large bureaucracy. There is a lot of this going on and the data are not centralized. I have asked for that review to be done and pulled together.

I should say that this is something that has been going on under many governments, although that is not an excuse to continue it. I think we have to get hold of it, but I cannot promise that it can be done in the next month or two. We are working on it and working towards that very goal.

TRAILER PARK RESIDENTS

Mr Duignan: My question today is to the Minister of Natural Resources. Some members would have read here today a newspaper article this morning about a young constituent of mine, Alex Kavanaugh. Alex, along with about 20 other families, is facing eviction next week from the Willow Trailer Park. Since the Credit Valley Conservation Authority has shown little concern for the reality that these residents are facing, I was wondering whether the minister could tell us what he is doing in light of these situations.

Hon Mr Wildman: I want to thank the member for having raised this matter with me some time ago. As the member knows, conservation authorities are a partnership between the province and the municipalities. In response to the concerns raised by the member, I wrote to the Credit Valley Conservation Authority on 16 April and suggested it extend the deadline beyond 15 May at least to 31 August so that there is time to find an alternative location for the mobile homes at the mobile home park.

Unfortunately, the Credit Valley Conservation Authority wrote back to me on 1 May indicating it had considered my letter and decided to proceed. These residents are very vulnerable. I understand they are in a floodplain and that must be protected, but we must use compassion and I would urge the Credit Valley Conservation Authority to rethink its position.

Mr Duignan: I am sure the residents will appreciate the minister's answer. However, he has indicated that this matter is in the hands of the conservation authority. Is there anything further the minister can do to offer some hope to these people who are facing eviction next week?

Hon Mr Wildman: There are measures that might be taken, but I hope that will not be necessary. I hope the conservation authority will reconsider and consider the plight of these people who need a place to stay and who should not be evicted until there is another location for their homes. I have discussed this with the Minister of Housing and hopefully we can work something out, if the conservation authority will use compassion rather than Damocles's sword.

MINISTERIAL RESPONSIBILITY

Mr Scott: As the Premier has fled the chamber, I have to ask my question of the Attorney General.

In answer to a question posed by my colleague the member for Mississauga North, he indicated that his deputy

minister had received this phone call from a judge some 10 days before the press, after a leak, released it publicly. He also confirmed that as far as he knew, the Deputy Attorney General's office and the minister's office had never communicated the matter to the Premier's office or to the cabinet office before it was leaked to the press.

I would like to ask the Attorney General to confirm what I understand to be the case, that some inquiry, external or internal, is being done as to how this might have occurred. Could he please confirm that this is the case and who or what agency is doing the inquiry?

Hon Mr Hampton: I am not exactly sure what the member is getting at, but let me relate back to him the facts as far as we know them.

The phone call that was received from a judge inquired of the Deputy Attorney General what the procedure would be and if he could get some advice if there was a situation there that should be of concern.

The deputy conferred with senior legal advisers in the Ministry of the Attorney General, returned the call to the judge and was cautioned by the judge that he did not know if there was anything to the alleged letter. He did not know if there was anything in the content that would be worthy of concern. He stated that there may be nothing here.

From there, he was instructed that if he were able to locate such a letter, he should send it to the Deputy Attorney General. He indicated he would endeavour to do so. The only thing that happened after that was that the Deputy Attorney General returned another phone call to the judge in question, asking him if he had the letter yet, and if he had it, whether he would forward it. There were no communications with the Premier's office. There were no communications with any other office in the government.

The Speaker: Would the minister conclude his remarks, please.

Hon Mr Hampton: If the member has some allegation that he knows the facts to be otherwise, I am interested in hearing about it.

Mr Scott: The point that is beyond doubt now is that the Deputy Attorney General received a call from a judge—not from anybody else—alleging there might be in existence a letter that indicated tampering with the administration of justice through a letter written by the Solicitor General. That is admitted by everybody now. The question is, is the Attorney General's ministry doing any investigation as to how this could have happened without notification either to the Attorney General's office or to the Premier's office? I understood him to say earlier that an investigation was being done. I simply ask him to confirm that an investigation is being done and tell us who is doing it.

Hon Mr Hampton: To correct the member again—and it seems like I must correct him every day, with his overactive imagination—the judge in question indicated very specifically that he did not have a letter and that he had heard second hand that there might be a letter. He did not know what was in the letter. He did not know what the letter was about. In fact, he cautioned that there might be no substance whatsoever.

I have told the honourable member that the RCMP was asked to investigate any and all allegations concerning the letter. To my knowledge, the RCMP is conducting that investigation. Knowing the RCMP, I suspect it will conduct a very full investigation and will go wherever information leads it.

MINING INDUSTRY

Mr McLean: I have a question for the Minister of Mines. Last week's historic budget announced that the three-year exemption from the Ontario mining tax would be limited to \$10 million of profit per mine. According to the minister's projections, this initiative is expected to generate \$35 million a year.

In its pre-budget submission, the Ontario Mining Association sent a very clear message: no new taxes. Rapidly falling prices on nickel, copper and zinc have left the mining industry facing a very disastrous year. In 1988, exploration for new reserves dropped, indicating a lack of confidence for investment in this industry. Would the minister please tell us why he plans to drain more money out of the Ontario mining industry at a time when it can least afford it?

1530

Hon Mr Pouliot: I wish to thank the member for a very relevant question, for he knows—and I have been watching him rather carefully—about the role that mining plays in Ontario. He is right; \$7 billion worth of production; 80,000 people are employed.

Let me share with the member, by way of an answer, what the Northern Miner Magazine says regarding the budget, "Mining Escapes NDP Budget." It says, "A number of industry representatives interviewed by the Northern Miner"—and this is what the captains of industry, the movers and shakers, are saying; they describe the budget impact as "minor irritants."

What we are saying to mining is: "The first \$10 million is tax-free. You do not pay a nickel, a dime or a penny of income tax on the first \$10 million, and we want to wish you well. Afterwards, you pay taxes like everyone else."

Mr McLean: The Minister of Northern Development proudly announced that 30% of the government's \$700-million recession-fighting package would be directed to projects in northern Ontario. Has the economy in this region suddenly turned around whereby now the government is taking that money and more out of northern Ontario?

Hon Mr Pouliot: The member is quite accurate in the amount surpassing 30%, and we are talking in terms of \$700 million-plus to quick-start the economy.

Let us go back to mines for a second. This is what we are doing: We are spending money promoting, asking prospectors—fictitious name, Harry Smith. He leaves Timmins and goes in the bush with his hammer. We are putting \$10,000 in his pocket to give him a chance to dream. If he has an interesting showing, we put some exploration money to the tune of 30%. On top of it, if he is in a designated area, we up the ante to 50%. That is what the government of Ontario—the money is coming back, the member is quite right. We are very cognizant

of the contribution of mining. We need mining. We know that in order to afford the social programs the people wish, factory wheels have to be turning full blast. We are going with our forte; we are resource-based.

SIGN LANGUAGE IN SCHOOLS

Mr Malkowski: My question is to the Minister of Education. Is the ministry planning to reintroduce Bill 112, which would require the use of American sign language and langue des signes québécois in the provincial schools for the deaf, as well as in any other school in Ontario where numbers warrant the use?

Hon Mrs Boyd: We have already announced our government's intention to designate American sign language and its francophone counterpart as a language of communication. I cannot say at the present time whether we will simply reintroduce Bill 112 that was introduced by our former colleague, Richard Johnston, or whether we will want to make a more thorough piece of legislation as a result of the consultation that is ongoing right now with both the anglophone and francophone advisory committees.

We have an action plan that covers five years in order to put these languages into place and to ensure that there are teachers who are trained to teach them. So the legislation may be more extensive than Mr Johnston's bill.

Mr Malkowski: Given that the government is ready to recognize ASL and LSQ as languages of instruction, what is the ministry prepared to do to make sure that we have qualified teachers so that such languages can be used in the classroom?

Hon Mrs Boyd: The Ministry of Education divested itself, effective this summer, of the teacher training and it will be going to York University where this training will take place in Ontario. In addition, we know that in order to get qualified people we will need to take action to try to attract back to Ontario qualified teachers who may have left our jurisdiction because we were not recognizing ASL as a language of instruction, and that is also our intention.

CAT SCANNER

Mr Bradley: I have a question for the Minister of Health. The minister will recall that on a couple of previous occasions I have raised the issue of the need for a second CAT scanner for the Niagara region in this House.

The residents of the Niagara Peninsula now have to line up for some four months before they can have the elective use of a CAT scanner. Patients may be subjected to exploratory surgery, ultrasound tests, nuclear medicine or myelograms, and many of these procedures and some of the other procedures are uncomfortable and certainly give an uneasy feeling to people, although they are essential if they are not able to get a CAT scanner. There is inconvenience and additional personal costs to those in the Niagara region who must cross the border to get this particular service. Would the minister assure the House that she will give immediate approval to the installation and operation of a second CAT scanner in the Niagara region for the 370,000 people who must share the only one that is present at this time?

Hon Ms Lankin: I am sorry I am unable to answer the member's question. I am sure he will understand that with under two weeks in the portfolio at this point, although I am working very hard to get up to speed on a large number of issues, I do not know the response to that particular question. I do not know where funding stands for the delivery of those kinds of services across the province, and it would be improper for me at this point to answer with respect to a particular region. I will undertake to get a response to the member on that.

Mr Bradley: The district health council has, as a very high priority if not its top priority, the installation of such a machine in the Niagara Peninsula.

The minister, although I heard nothing about this during the election campaign, has said that she is interested now in controlling health care costs in Ontario. In fact, the contrary would have been the impression the people of this province would have gained, but she has stated, in fairness to her, that she is interested in controlling costs and making the delivery of medicine more efficient, although still useful, to the people of this province.

In view of that, and in view of the fact that each of the procedures I have mentioned—I will not go over them—and the additional stay in hospital, if you want to make sure that you get immediate access to a CAT scanner, means that the costs are increasing and the money is flowing south of the border—

The Speaker: The interrogative part?

Mr Bradley: —would she give immediate consideration to the implementation of such a CAT scanner, a very much needed CAT scanner, for the people of the Niagara region?

Hon Ms Lankin: Once again, I understand the passion with which the member speaks on behalf of the residents of his area and which he shares with members on this side of the House, who have also raised the issue and are concerned. I do not have a response at this point. I just have not, in all of the briefings I have been going through, been able to learn about this issue yet. I ask the member to give me some time and I will respond to him.

ONTARIO HYDRO AGREEMENT

Mr Jordan: My question is for the Minister of Energy. I would like to ask the minister to report to the House on the agreement between Ontario Hydro and Smoky Falls. I understand the deadline has been moved ahead to 30 June, and I would like to ask the minister if she can tell us if her ministry, in conjunction with the Ministry of the Environment, is prepared to accept responsibility for the environmental assessment of the Smoky Falls power plant and the Mattagami River projects? If she would accept that responsibility, would she allow Ontario Hydro then to complete the deal and save 1,200 jobs?

Hon Ms Carter: I think the member knows that this whole question of Smoky Falls and the other linked Mattagami projects is coming before the demand/supply plan hearings which are now under way. That being the case, there is no way of which I am aware that these hearings can be speeded up. They will go through due process

and ultimately we will know what the status of the Smoky Falls station is.

MOTIONS

ORDER OF BUSINESS

Miss Martel moved that the House proceed to orders of the day.

1611

The House divided on Miss Martel's motion, which was agreed to on the following vote:

Ayes 57; nays 27.

Mr McGuinty: On a point of order, Mr Speaker: I am asking for the unanimous consent of the House to introduce a bill on behalf of the member for Ottawa East.

Some hon members: No.

Mr McGuinty: I would ask the members of this House to recognize that my rights as a member are being abridged. I cannot introduce a petition, I cannot introduce a bill, and I would suggest that there is—

The Deputy Speaker: Order, please. Sorry, but there is no unanimous consent.

ORDERS OF THE DAY

House in committee of the whole.

La Chambre en comité plénier.

FAMILY SUPPORT PLAN AMENDMENT ACT, 1991 LOI DE 1991 MODIFIANT LA LOI SUR LE RÉGIME DES OBLIGATIONS ALIMENTAIRES ENVERS LA FAMILLE

Consideration of Bill 17, An Act to amend the Law related to the Enforcement of Support and Custody Orders.

Étude du projet de loi 17, Loi portant modification des lois relatives à l'exécution d'ordonnances alimentaires et de garde d'enfants.

Mr Sorbara: Mr Chairman, on a point of order: I know that the government House leader has called the third order, which is, if I look at Orders and Notices, committee of the whole to consider Bill 17, An Act to amend the Law related to the Enforcement of Support and Custody Orders, standing in the name of Mr Hampton.

I am the opposition critic for the Ministry of the Attorney General. I was advised as late as half an hour ago that the House, when it moved to orders of the day, would be following the order paper. If I look at the order paper for today, after routine proceedings I see order number 7, which calls for resuming the adjourned debate on the motion for second reading of Bill 30, An Act to amend the Education Act.

I did come to the House to participate in the vote, which was a motion to proceed to orders of the day. I had advised my own House leader, and I thought my House leader had advised the government, that we were not prepared to consider Bill 17 today.

Bill 17 was considered in the standing committee on administration of justice for many, many months, and I gave an undertaking at that time that when the bill came to

committee of the whole, I would do everything in my power to ensure that the bill passed through committee of the whole as expeditiously as possible. But to call it on a day when I am not going to be here, I think, is unfair and my privileges as a member, I think, are compromised.

A number of us have spent a long time with this bill and I would just ask the government House leader if she would not consider calling the order that she had proposed to call on the order paper first and to allow that debate to proceed, and to set over consideration of Bill 17 in committee of the whole until a day in which I can be here to complete our deliberations on this matter.

I remind her once again that I undertook with my own House leader, with the chairman of the committee, with officials from the ministry—and I see that they are probably here—that when the bill came to committee of the whole we would do everything in our power to restrict our comments to allow the government motions to proceed and not to introduce any other motions. That is our intention.

It seems to me capricious in the extreme, then, to call the bill for consideration in committee of the whole on a day when I cannot be here. That is all the more troubling because half an hour ago I was advised by my own House leader that this bill would not be called in the committee of the whole because I was not able to be here. I am shocked that the government would now proceed to try to do that.

The government House leader is now shaking her head. If she did not know then, I ask her now to observe the traditions that we have had in this House for a very long time of not calling bills when—

Interjection.

Mr Sorbara: I say to my friend from Ottawa Centre, the former Minister of Health, her House leader put on the orders for today an order calling for the resumption of the debate of Bill 30, not of Bill 17.

Someone changed his or her mind, and I am absolutely positive that my House leader did not undertake to have me in this House for this debate at this time. The fact is, the government House leader has done something that I think is unprecedented in this House, and that is to ignore the fact that a critic cannot be here and call a bill for consideration under those circumstances.

She knows of my interest in this bill, she knows I was at every single meeting of the committee on administration of justice for consideration of this bill, and I ask her once again to reconsider now. I tell her that I will make myself available and continue to offer my co-operation so that Bill 17 can pass expeditiously.

All the points that we have made on the bill have been made in committee, and the only reason we are in committee of the whole is for the government to pass a few other amendments and for our members to get a few short comments on the record.

I ask her to consider once again the traditions of committee of the whole, and that is not to call bills when members cannot be here. I ask her to consider once again what she has done and to now set this order over and to call the order that she proposed on the order paper, which is order 7.

1620

Mr Eves: On the same point of order, Mr Chairman: I might point out that I entirely agree with the comments of my colleague and I think indeed this is unprecedented.

It is not unprecedented for the government House leader to call another item on the business sheet that is printed every day for the House. If it was her intention to call an item other than the first item on the list, that has been done before, but I do not believe it has ever been done before in this place that a government House leader has called an item that is not printed on the business sheet for the day. I would say to you, Mr Chairman, with all due respect, the government is taking governance of this place to a new all-time low.

Hon Mr Laughren: You've got nerve to talk about the order of business. What do you care about the order of business? You have no credibility on this one.

The Chair: Order, please.

Mr Eves: I would also say with respect to the same point of order made by my honourable friend that it was agreed in House leaders'—

Hon Miss Martel: It was agreed to do business.

Mr Eves: The very question was asked in House leaders' meeting by the House leader for the official opposition: What would happen if in fact we did not conclude Tuesday's business on Tuesday? Would we then move Tuesday's business to Wednesday, or would we deal with Wednesday's business? The reply we received was that we would deal with the item we had agreed on for that day, and the item we agreed on for that day is as printed on the orders of the day, which is to resume the adjourned debate on second reading of Bill 30.

If the government House leader was going to change her mind about that, which is her prerogative, the very least she could have done was printed any item that she might want to have dealt with today. I do not care if there are 107 of them on the orders of the day. That has been done before, but what is being done today in this Legislature has never been done before in 124 years of this Parliament sitting.

Hon Miss Martel: There are a couple of comments to make. I find it passing strange that the House leader for the third party can get up and talk about how the business has been jacked around in this place, when we have gone through the last four days fooling around, not getting to the orders that have been called.

Mr Eves: That is not what I said. I said this has never been done before in 124 years of sitting. She is taking jackboot democracy to a new low.

The Chair: Order.

Hon Miss Martel: We had agreed to business at the House leaders' meeting last week. We have not gotten to any of that business in the last four days.

Mr Eves: You are a provincial member, Floyd.

The Chair: Order, please. The member for Parry Sound, you had your chance. The member for Sudbury East.

Hon Miss Martel: The fact of the matter is, nothing that was agreed to at the House leaders' meeting with respect to the business that was to be done has been done since last Thursday, so I find it passing strange to be the subject of criticism at this point in time with respect to my changing my mind, when in fact we have not done anything that had been agreed to for the last four days.

The second point I would like to make is with respect to whether or not the government House leader has the option to do that. I point out to members that the order is noted on the Orders and Notices paper. It is my responsibility to call that order and I have called the order that we would like to deal with because we believe that this matter of support and custody orders enforcement is extremely important and should be dealt with.

The third point I would like to make is the question of whether or not this has ever been done. I would remind the member for York Centre that it was his former House leader who carried my colleague the member for Welland-Thorold into a 17-hour debate because he in fact came in and called a different order. So to say that this is unprecedented, I think people should go back and take a look at what kicked off that 17-hour debate. It was a different order being called just before the House was to recess and then a second call to sit all night.

I want to say to the member that I called the House leader's office at 1:30 to point out that we would like to move to SCOE this afternoon. I was advised that the House leader for the Liberal Party was not here. I then asked who the acting House leader was and talked to him, at least, at 2 o'clock to say that we would like to move to that today. He was advised as of 2 o'clock this afternoon that I would like to move with that. I would like to deal with it. It is an important piece of legislation.

I should point out to the member, though, that I also find it a little bit strange that he would be upset so much here as he is today and talk to me about what commitment he made with respect to dealing with this in the House. It seems to me that this went on in committee for some nine weeks, on and on, in that particular committee, and a lot of the deliberation was on his part as he continued on and on and did not want to deal with it in the manner that it should have been dealt with, given that it is such an important piece of legislation.

I say to the members that I have called the order. We believe that this is an important piece of legislation. The member is here now. I would hope that he would be able to continue with this debate.

Mr Sorbara: On the same point, Mr Chairman: I really regret the comments of my friend the member for Sudbury East, the government House leader, for a number of reasons. First of all, she suggests that she talked to the opposition House leader's office at 2 o'clock, and that is right. I will confirm with her that I was contacted by people in the House leader's office and advised them that I could not be here today, that I was not aware that the bill was to be called. I did not advise them of the reasons and I will advise her of the reasons now. A very dear friend in our family has passed away and I had intended to attend at

the funeral parlour this afternoon. That is why I could not be here.

I want to tell my friend as well that for several weeks we dealt with this bill in committee. We had some very lengthy debates and we put some very important motions forward on behalf of our party, and those were defeated. Some other amendments put forward by the government were passed, and we had a long and interesting and appropriate debate. If she is suggesting now that we should not deal with bills in that way, well, that is very interesting indeed.

I will also ask her to check with officials who are sitting behind the Speaker's chair right now and confirm that I did not say that when this matter went to committee of the whole we would deal with it very expeditiously. I tell her once again and ask her to reconsider once again. She printed the business for Wednesday 8 May, and under orders of the day is order 7, calling for a resumption of the debate for second reading on Bill 30.

Our Education critic, the member for York North, is here to proceed with that business. My understanding is that this is not to be a long debate. I tell the government House leader once again and I undertake once again that the committee of the whole consideration on behalf of our party will not be a long consideration, but I think it is unfair, I think it is callous and I think it is bad procedure for her to call this bill when she had no assurance whatever that I, as the justice critic for the Liberal Party, the official opposition, could not be here today. So I ask her once again to reconsider. This House and its ability to function are breaking down rather rapidly.

For our part, our party has tried to be as co-operative as possible. We have not supported motions to adjourn the House when they are put forward by the third party. We have tried to have the business of this House carry on, but if the government now is going to attack our ability to do that by surprise and without notice and, without consultation, call orders that we are not prepared to consider, then I say that it is now the government as well as the third party that is deteriorating the atmosphere in this House and our ability to carry on business.

Once again, I appeal to my friend the member for Durham West, I appeal to my friend from Hamilton who sat in that committee and the member for Sudbury if they will not confirm that I undertook in committee to have speedy passage and speedy consideration of this bill in the committee of the whole. But if, as I have to assume, the government House leader is bringing this bill forward on the basis that I will not be here, then Mr Chairman, I want to tell you and the other members of this committee that I am shocked that she would do such a thing. Her own officials in the Ministry of the Attorney General have said that they do not anticipate proclaiming this bill until 1 January 1992 and she cannot use the argument of urgency to bring this matter on today.

I want to tell my friend the House leader as well that if she persists in trying to poison the atmosphere of this committee and this House in this way, it is only the government and its own legislation that is going to suffer. So I ask her once again to rise and reconsider the orders for the

day and call the order that was scheduled to be considered this afternoon.

Mr Harris: On the same point of order, Mr Chair: Some will suggest that I have been a little obstructionist in the past little while.

Hon Mr Hampton: Surely you jest.

Hon Mr Laughren: Not effectively.

1630

Mr Harris: Some suggest not effectively. I make no apology for being obstructionist and for doing what I am doing. However, what we are dealing with here is rather a dramatically different issue. It is an issue of having logical debate either in the House or in committees. I believe that it is incumbent upon having the critics present before we can proceed with this particular piece of legislation in any kind of logical, organized, systematic way.

As well, the reason we are in committee of the whole, as I understand it, is not because the opposition parties have amendments; it is because the government itself has a number of amendments that it wishes to deal with to improve this bill.

I suggest to you, Mr Speaker, that the arguments of the House leader for really doing something that I never recall, either in government or in opposition when I was House leader, and that is to try to call a piece of legislation when the key spokesman from either of the opposition parties, or indeed the minister himself, could not be there, really do not make much sense.

Clearly, we know this bill is not going to be completed today, because I do not think that the minister, I do not think that the House leader for the government and I do not think the members of the Liberal Party or the members of my party are going to want to shut out the justice critic for the Liberal Party from being able to participate in the important process of dealing clause-by-clause with this particular piece of legislation.

I say as well that it is unprecedented in my time that the government would try and proceed this way. The reason they have never done it before is because they know that they force all opposition parties into simply filibustering a section until their critic can come back and be here and proceed with it, and it really does not make much sense to tie up the business of the House that way. That may sound a little contradictory, given the position I have taken on the budget. However, I think we are dealing with a different matter here.

I say as well, and I repeat the concerns of the justice critic for the Liberal Party, that the House leader for the New Democratic Party rings very hollow on two accounts. Number one, she says this bill is very, very, very important to mothers and children, yet it was not so important as to put it on the notice paper at 9 o'clock today. It was not so important—

Hon Mr Wildman: It was on yesterday.

Mr Harris: Of course it was on yesterday. Today is yesterday; yesterday is today. It was not so important for mothers and children in this province that they would ask whether the critics would be here.

Hon Miss Martel: It was on yesterday. If you hadn't fooled around, we would have dealt with it.

Interjections.

The Chair: Order, please.

Mr Harris: It was not so important to the mothers and children in this province as to make a simple courtesy phone call to the House leader for my party to find out whether our critic could be here today as well to be able to deal with it in a logical way, and since we know that we are looking at January 1992 for this to be implemented, we know—

Interjections.

The Chair: Order. Please take your seat. The procedures permit you to debate if you so wish, but we must do it one at a time.

Mr Harris: We are all aware that the House leader for the New Democratic Party's arguments as to why she tried to pull a fast one, slip it in when the critics were not here, when the experts in the opposition were not going to be here, ring very hollow as to the importance of the timing of this bill and in fact the importance that the government attaches to this particular piece of legislation. I too ask that the House leader for the New Democratic Party reconsider calling an order when she knows that the justice critic for the Liberal Party has no way of altering the schedule, due to attending a funeral home today. This is not an unusual request. This is something that House leaders for government parties do all the time in trying to schedule business in a logical, organized fashion, and I too make that request on behalf of the member for York Centre.

The Chair: Order, please. Please take your seat. I have listened very attentively. Let me read to you what the orders say. Section 52 of the standing orders reads as follows, "Except as otherwise provided in these standing orders, government business will be taken up in the discretion of the government House leader or a minister acting in his or her place." Therefore, I have nothing else; it is not my decision, so I must continue with the procedures. We are at questions and comments.

Mr Beer: On a point of order, Mr Chair: While I am not of course disputing your ruling, given, as has been said, that my colleague the member for York Centre had been very clear, certainly to those of us within our caucus, that there was a funeral of a close family friend this afternoon, and given that the Minister of Education is here and the Education critics are here, I would simply say—and I do not know what point of procedure, order or whatever it would be—that perhaps it would be appropriate that the government House leader might none the less consider calling the seventh order, which is the discussion on Bill 30, for which we were prepared to meet and discuss today. It seems to me that there are some elements here which go beyond procedural points and that this would be the appropriate decision to take at this time.

The Chair: There is nothing the table can do. I just explained that to you. But if the minister wishes to say something, you have the authorization. Please do so briefly.

Hon Miss Martel: Yes, I will, Mr Speaker. After having listened to the leader of the third party and heard of his concern with this matter and his concern with respect to the critic, let me tell you what I am prepared to offer. I would revert to the order that was listed in the orders of the day if the third party, which has sounded very concerned about this whole matter, will then undertake and agree here that it will not adjourn the debate or adjourn the House until second reading of Bill 30 is complete this afternoon. If the leader of the Tory party, who has just proclaimed how much he would like to deal with this, and how unfair he thinks I am being and how concerned he is that the critic have his say, will undertake here and now, in front of all the members of this House, that we will proceed through second reading of Bill 30 without any interruption and any problem and finish here this afternoon, I would be prepared to withdraw the order that is on and put the new one on.

Mr Harris: I am not sure the actual debate in the committee is the place for House leaders to negotiate the order of business, but let me accept the offer of the House leader for the New Democratic Party and say that as soon as the public will be given an opportunity to comment on the budget, I would be delighted to allow the government House leader to call any business that she wishes to. I am not the House leader for my party. However, I think if the House leaders wish to get—

Interjections.

The Chair: Order, please. I believe that we have debated long enough and will go on with the procedures.

Mr Sorbara: Mr Chairman, might I just rise on a different point of order?

The Chair: A different point of order? I will listen to it.

Mr Sorbara: I regret that the government House leader has attempted to negotiate my schedule with the leader of the third party, but under the circumstances, I have no alternative but to move under standing order 100 that the committee rise and report.

The Chair: You cannot rise on a point of order and ask for the committee to rise and report. You can legitimately do so when you are recognized in your seat.

1640

Mr Sorbara: Might I be recognized, then, Mr Chairman?

The Chair: No, it is the minister now. Would you please list your amendments.

Hon Mr Hampton: The amendments are as follows: an amendment to subsection 2(1) of the bill; an amendment to subsection 2(3) of the bill; an amendment to section 3 of the bill, subsection 2(1); an amendment to section 4 of the bill, subsection 3.3(4); an amendment to section 4 of the bill, subsections 3.3(30.1) and (30.2); section 4 of the bill, subsection 3.3(24); section 5 of the bill, subsection 4(2); section 11 of the bill, section 12.2; and section 12 of the bill, section 13.2. Those are the amendments.

The Chair: Are there any further amendments?

Mr Sorbara: I do not have any amendments. Our party will not be presenting any amendments to this committee, but I regretfully have to move that the committee rise and report.

1712

The committee divided on Mr Sorbara's motion, which was negated on the following vote:

Ayes 23; nays 56.

The First Deputy Chair: Any further questions, comments or amendments to the bill?

Mr Harnick: I will be making certain motions to amend this bill.

I will be moving that section 3.3 of the act, as set out in section 4 of the bill, be amended. This deals with notice to income source.

I will be moving that section 3.3 of the act, as set out in section 4 of the bill, also be amended. This deals with the director making a reasonable effort to contact an income source.

Mr Eves: On a point of order, Madam Chair: I do not recall the government House leader, the minister or anybody asking unanimous consent for staff to be present in the chamber.

The First Deputy Chair: That is under standing order 103. If it is under standing order 103, that is not a point of order. It says "may."

Mr Harnick: I will be moving that subsection 3.3(6) of the act, as set out in section 4, be amended. That will be changing the wording, striking out "fifth" and substituting in the fourth line the word "seventh."

I will be moving that section 4 of the bill, proposed subsection 3.3(8), be amended by striking out "14" in the fourth line and substituting "30."

I will be moving that section 4 of the bill, proposed subsection 3.3(25) of the act, be amended. That will be an amendment of section 4 of the bill, striking out "10" and substituting "21."

I will be moving that section 4 of the bill, proposed subsections 3.4(11.1) to 3.4(11.3) of the act, be amended and that section 3.4 of the act, as set out in section 4 of the bill, be amended by adding the following subsections. I will then be adding a subsection dealing with the immediate suspension of the support order, subsection 3.4(11.1), which would state, "Despite any other provision of this section, a court that makes a support deduction order shall immediately suspend its operation if the payor requests the suspension and agrees to pay to the director the amounts owing under the support order to which it relates and the court is satisfied that the payor is likely to make the payments."

As well, I will be making an amendment dealing with the termination of suspension order, subsection 3.4(11.2), "A suspension order referred to in subsection (11.1) is terminated if the payor, without an explanation that is acceptable to the director, fails to make a payment under the support order when it is due."

1720

I will also be amending the section dealing with the effect of termination. That would be (11.3): "The support deduction order is reinstated when the suspension order is terminated under subsection (11.2)."

I will be amending section 4 of the bill, which is the proposed subsection 3.8(4), and I will be moving "that subsection 3.8(4) of the act, as set out in section 4 of the bill, be amended by striking out 'fifth' in the third line and substituting 'seventh.'"

I will be proposing an amendment to section 4 of the bill, and that is the proposed subsection 3.8(10), where I will be moving "that section 3.8 of the act, as set out in section 4 of the bill, be amended by adding the following subsection:"—and then it is "enforcement of old orders."

"Despite any other provision of this section, a payor who is not in arrears under a support order on the day this section comes into force and who is making the payments required under the support order shall not be required to make payments through a support deduction order described in subsection (5) unless at any time after this section comes into force he or she, without an explanation that is acceptable to the director, fails to make a payment under the support order when it is due."

I will be moving to amend section 19 of the bill, "that section 19 be amended by adding at the end 'which day shall be at least six months after the day on which this act receives royal assent.'"

Those are the amendments I propose to make, and I shall be tabling those amendments in due course. I would now move that the committee rise and report.

The Second Deputy Chair: The member for Willowdale has moved that the committee rise and report.

All those in favour will please say "aye."

Hon Miss Martel: Mr Chairman, it was my impression that—maybe you can help me—that was what the motion was last time.

Mr Harnick: Mr Chair, I am withdrawing that motion.

The Second Deputy Chair: The honourable member for Willowdale has withdrawn his motion. It would be most helpful if the honourable member for Willowdale would provide the table with a copy of his amendments to this bill so that we could circulate them.

Mr Harnick: Due to the lack of notice that this was going to be the order of the day, I am not prepared to do that now. That is the reason I read the substance—

Hon Miss Martel: We made a deal, and you didn't want to accept it.

Mr Harnick: Well, even though she was going to make a deal, I say to the House leader—

An hon member: The Queen's Park answer to Monty Hall.

Hon Miss Martel: We were prepared to refer to the other order and your leader turned us down.

Interjections.

Mr Harnick: If I can just respond to the—

The Second Deputy Chair: It would be very much appreciated, when we get to the section within the act that

your amendments would apply to, if the member could make sure the table is provided with those amendments as they come forth.

Mr Harnick: Yes, Mr Chair. I was trying to address you before I was interrupted. Even though the House leader did try to make a deal, if she had notified us some hours earlier that she was going to offer that deal or had notified us that this was on the order paper, I would have had that material for the Legislature—

Interjections.

The Second Deputy Chair: Order, please. The honourable member for Willowdale has the floor. There is an awful lot of chatting going on here and I have difficulty hearing.

Mr Harnick: I appreciate what the government House leader is saying. She is saying that we had the opportunity to make a deal, but even though we had the opportunity to make the deal, the hour at which that offer was made was already past the hour where this piece of legislation became the order of the day, without notice to any of the opposition parties.

Had she advised in advance that that would be the order of the day, I would have had the necessary copies and documentation for every party as well as for the Chair. In future, if the House leader could advise us in advance if we are going into committee of the whole, I would be delighted to come with the number of copies that would satisfy the Chair and that would satisfy the House leader. Unfortunately, she did not have the courtesy to do that.

Interjections.

The Second Deputy Chair: Order, please. The honourable member for Willowdale has the floor.

Mr Harnick: These amendments are important amendments and we spent many weeks in committee debating these very amendments. They are important amendments.

Interjections.

Mr Harnick: No, I—

The Second Deputy Chair: The member for Willowdale, please address the Chair and ignore the interjections.

Mr Harnick: Yes, I will ignore the shouts that are coming from the government side. Management Board, I gather, wants to take over another ministry.

At any rate, had I been advised in advance—

Hon Mr Hampton: On a point of order, Mr Chair: The member has attempted to introduce his amendments. He does not have them here. Other amendments have been presented. I think it is only proper that we now proceed with those amendments that have been presented and tabled in the House.

The Second Deputy Chair: The honourable member for Willowdale outlined, I believe, what his plan of attack was.

Mr Harnick: I believe I was asked if we had any amendments, and I have now advised the Chair as best I could on short notice what the amendments are and the

substance of what the amendments contain. Again, I could have done a better job if advised in advance by the House leader that we were going to be debating this bill in committee of the whole today.

I would have been delighted to attend with all of the information that she would have required and that she would have received, had this been properly put as one of the orders of the day and had the opposition parties been advised. That is why I am only able—

Hon Miss Martel: On a point of order, Mr Chairman: Let's be clear. Recognizing that there was a problem, I made a specific offer to the member's leader, who said he was very concerned about dealing with this and having the opposition critics here. So I said very clearly to him that I would be most prepared to withdraw the order I had placed, revert back to the education bill and allow that debate to proceed this afternoon, and come on another day to deal with the matter of SCOE. The leader of the third party turned that down, my friend. That is the real problem here. An offer was put and he turned it down.

The Second Deputy Chair: It is not a point of order; it is a point of discussion at this point in time.

1730

Mr Harris: On a point of privilege, Mr Speaker: The House leader for the New Democratic Party has indicated that she made an offer to not proceed with this particular piece of legislation and to proceed with some other piece of legislation, and then she said I refused that offer.

If she will check the Hansard she will find that I accepted that offer, was happy to accept that offer and I think the record will show it. Quite frankly, I would ask that the House leader, if she does not wish to do it today, review the Hansard. I think she will find that my acceptance had far fewer conditions than her offer.

The Second Deputy Chair: This is degenerating into something that will not be resolved. I will now ask the honourable member for Willowdale to summarize quickly and then we will proceed.

Mr Harnick: I am prepared to provide you with that summary again. I am proposing amendments to subsection 3.3(4.1) of the act. I am proposing that subsection 3.3(5.1) of the act be amended. I am proposing that in section 4 of the bill the proposed subsection 3.3(6) of the act be amended.

The Second Deputy Chair: Order, please. I believe this is to some degree repetitious. Will the member just summarize? Then we will proceed.

Mr Harnick: I thought the direction from the Chair was to summarize again, because I had no copies, exactly what it would be that I would be prepared to supply the Chair with.

The Second Deputy Chair: We have already got a list of the amendments as you have presented them. Possibly you could summarize and then we will proceed into section by section.

Mr Harnick: I have summarized and those are the amendments that I will be tabling.

The Second Deputy Chair: Ensure that the table has them as soon as it is convenient.

Hon Mr Wildman: Just to be helpful to all members of the assembly, I note that the member has listed the amendments that he wishes to put. He has one copy of each amendment. He may be unfamiliar with the procedures around here, but just to help out, he could give the copies to a page, the page could make copies immediately and they could be distributed.

The Second Deputy Chair: That was a point of information and it has been duly noted. Any further questions and/or comments on Bill 17 prior to going into a clause-by-clause debate?

Mr Harris: I really regret that the member for York Centre and the critic for the Liberal Party is not here as we

actually proceed into the sections. Because of that, I would move under standing order 101(a) that the Chair of the committee leave the chair.

1805

The House divided on Mr Harris's motion, which was negatived on the following vote:

Ayes 1; nays 68.

On motion by Miss Martel, the committee reported progress.

À la suite d'une motion présentée par Mlle Martel, l'étude du projet de loi en comité plénier de la Chambre est ajournée.

The House adjourned at 1808.

ERRATUM

No.	Page	Column	Line	Should read:
30	1215	2	43	what he should be addressing in his ministry when other

ALPHABETICAL LIST OF MEMBERS

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Speaker: Hon David Warner

Clerk of the Legislative Assembly: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees: Smirle Forsyth

Clerk Assistant and Clerk of Journals: Alex D. McFedries

Sergeant at Arms: Thomas Stelling

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines and to the Minister of Northern Development
			Vice-Chair, standing committee on Ontario in Confederation
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Hon Brian A.	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
Churley, Hon Marilyn	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	
Gigantes, Evelyn	Ottawa Centre	NDP	
Grandmaitre, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities

Name of member	Constituency	Party	Other responsibilities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Chair, standing committee on regulations and private bills Vice-Chair, standing committee on finance and economic affairs
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	Chair, standing committee on resources development Parliamentary assistant to the Minister of Energy
Jackson, Cameron	Burlington South	PC	Chair, standing committee on estimates
Jamison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chair of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	Chair, standing committee on resources development
Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Health, Chair of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
Mackenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	Parliamentary assistant to the Minister of the Environment
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the Whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition

Name of member	Constituency	Party	Other responsibilities
North, Hon Peter O'Connor, Lawrence	Elgin Durham-York	NDP NDP	Minister of Tourism and Recreation Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Phillip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
Rae, Hon Bob	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	S-D-G & East Grenville	PC	Second Deputy Chair of the Committee of the Whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Hon Fred	Frontenac-Addington	NDP	Minister of Government Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	

Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

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 Co-Chair: Noel Duignan
 Members: Dianne Cunningham, Remo Mancini, Kimble Sutherland
 Clerk: Smirle Forsyth

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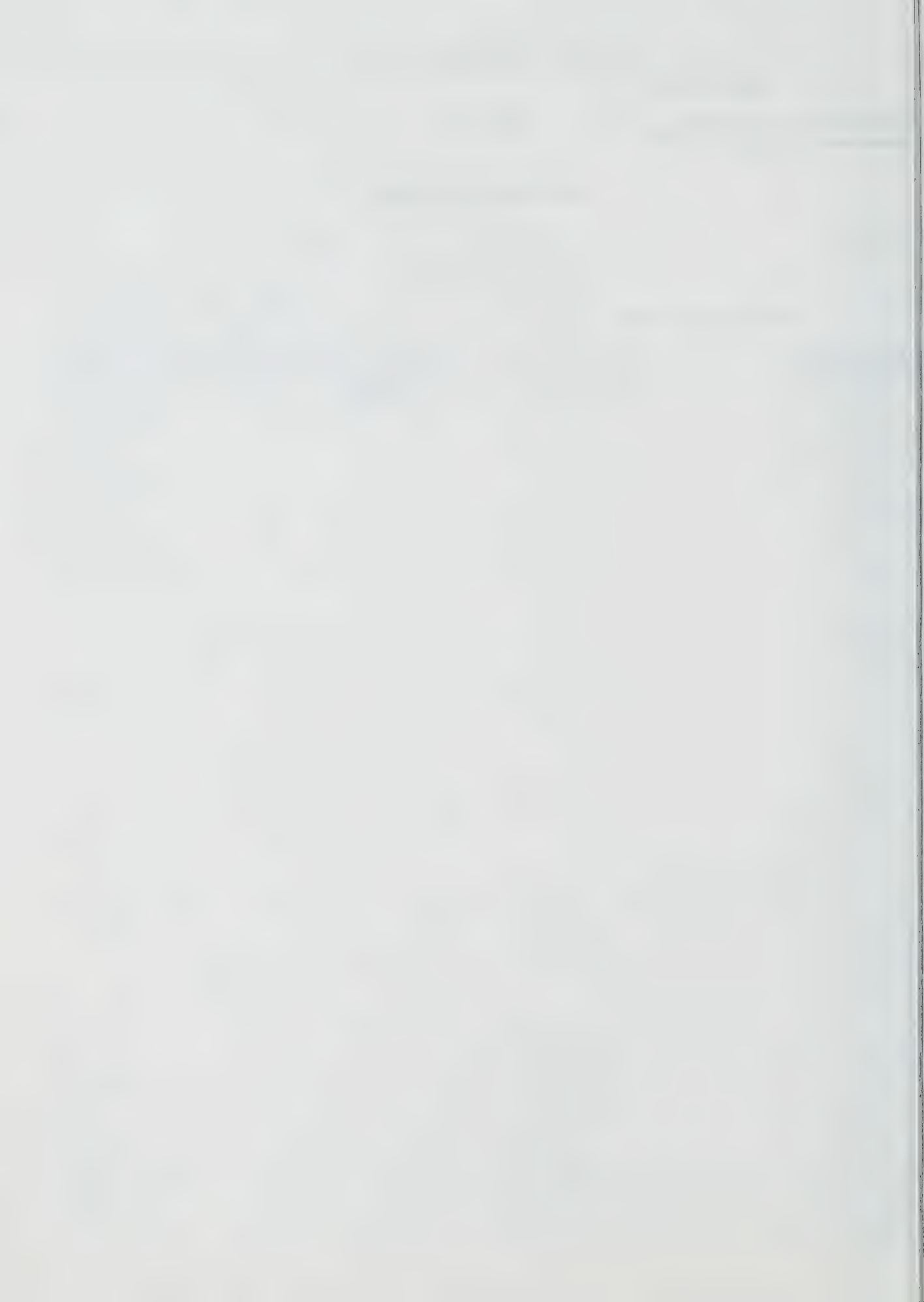
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Legislative Assembly of Ontario

First Session, 35th Parliament

Official Report of Debates (Hansard)

Thursday 9 May 1991

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le vendredi 9 mai 1991

Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 9 May 1991

The House met at 1003.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

ACCESS TO COURTS ACT, 1991

LOI DE 1991 SUR L'ACCÈS AUX TRIBUNAUX

Mr Scott moved second reading of Bill 77, An Act respecting Access to the Courts.

M. Scott propose la deuxième lecture du projet de loi 77, Loi concernant l'accès aux tribunaux.

The Deputy Speaker: Pursuant to standing order 94(c)(i), the honourable member has 10 minutes for his presentation.

Mr Scott: It is a pleasure to move second reading of this bill, which provides for access to justice in the courts.

The bill is designed to reform what is called the law of standing in the province of Ontario, and I hope it will attract the support of the House so that the technical requirements of the bill can be considered at committee stage. The bill, as I say, affects the law of standing and is designed to determine who is allowed to sue for various matters in the province and what kind of claims they can advance.

The present law historically has only permitted people to sue if they can illustrate that they have a precise, unique claim or injury that they have sustained. The result of that, under the present law of standing, is that if you can demonstrate, for example, that a manufacturer has loaded toxic materials on your land, you are entitled to sue for injury occasioned by that because you have uniquely suffered damage. If on the other hand the same manufacturer were to expose toxic fumes to the air, you would not be able to sue, not because you had failed to suffer damage, but because you would be suffering damage in common with many other people. You would not have the right, under the present law of standing, to sue in that case.

Every legal and political commentator recognizes that our law of standing is seriously out of date and should be amended so that the discretion to permit lawsuits of the type I have described, particularly in environmental and consumer matters, can be left to the courts according to a series of rules that are set out in the bill.

I should point out to the Legislature and to you, Mr Speaker, as you undoubtedly know, that beginning in 1975 the courts of Canada began to soften the effect of the law of standing and gradually began, in a very tentative way, to permit lawsuits which the old law might not have permitted. The Thorson case, in which a citizen sought to attack the Official Languages Act even though it did not uniquely apply to him, was an example. It was followed by the McNeil case from Nova Scotia where a citizen sought to attack the board of censors in that province, even though

he was not uniquely affected by the censorship of the film involved.

The courts have gradually begun to expand the law in this area. The problem is that they seem to have come to the end of the exercise and much remains to be done.

The other problem associated with the court decisions in this regard is that they have not made clear the criteria which should be extended to permit these lawsuits to occur and the criteria which should be applied to terminate the myth that they are improper.

As a result of that, the Ontario Law Reform Commission, without doubt the most distinguished law reform commission in Canada, prepared a two-volume report on the law of standing, which was submitted to the Attorney General, I believe, last year. It proposed essentially the bill that is before members.

The bulk of the work on the law of standing was organized by Larry Fox, a member of the staff of the law reform commission who is entitled to very great credit for the work that was done. He took into account the state of the old law and the consequences of the recent court decisions.

In the two volumes there is an extensive analysis of a scheme incorporated in this bill which will permit ordinary citizens to commence this litigation and will permit the court a defined discretion to terminate it if the court judges that it is frivolous or improper or advanced on account of inappropriate motive. There is also a provision in the bill that reforms, with respect to actions that are contemplated by the bill, the law of costs, so that cost implications do not become an impediment to the airing of this kind of litigation. The law reform commission report is regarded everywhere in Canada as a model. It is a principled response to a major legal, political and social problem.

I think it is important in the moment or two I have left to emphasize the things that the bill does not do.

It does not restrict the role of the Attorney General, who always could bring litigation of this type and who will continue to be able to do so. It simply extends the capacity that he has representing the public interest to other individuals or groups.

Second, it does not create a flood of litigation. Those who say the floodgates will be opened should only read what Chief Justice Laskin had to say in denouncing that theory in the Thorson case.

It does not increase the level of risk for defendants. The level of risk for defendants remains exactly the same. The substance of law of these cases has not changed. All the change will do is extend the group who can advance the claim.

Most important, in my view, it does not increase the scope of judicial review. It does not give to courts powers they do not have to declare legislation inappropriate or unconstitutional. It simply extends beyond the Attorney General the group of applicants in such cases.

1010

In five years as Attorney General, I concluded that access to justice was a pressing need in our community. I believe there are four pillars to a modern justice system:

The first is a legal aid system, and in Ontario on a fee-for-service and clinic basis we have one of the most progressive legal aid systems in the world.

The second is intervenor funding so that ordinary citizens can appear before tribunals and courts to advance their claims. The intervenor funding pilot project is now in place.

Third is class action legislation, which I had the honour to introduce in the last House and which my colleague the new Attorney General has reintroduced. That will be before you.

The fourth is reform of the law of standing so that these important kinds of litigation, in a charter age when access to the courts is fundamental, can be advanced by ordinary citizens of the province.

I look forward to the debate on this important issue.

Mr Harnick: I am pleased to have the opportunity to respond to Bill 77. The first thing I would like to say about this bill is that I believe the reform of the law of standing is important, I believe it is necessary, but I do not believe that Bill 77 is the best model to reform the law of standing.

Let me just at the outset talk about class actions for a moment. The former Attorney General set up a consultative process to develop a law that would be probably the model of class action statute law anywhere.

It is interesting that on 6 May in the Ottawa Citizen they talked about the consultative process that the former Attorney General set up. I would like to quote the article of Claire Bernstein. She stated, "In Canada, however, a brilliant politician and provincial Attorney General has shown the world it is possible for the public to participate in making the laws that are going to affect them and they could do it within the existing system."

She goes on to say:

"When the idea for having a class action law with teeth was put on Scott's plate, he saw the opportunity to put a new legislative process into motion. Class action was saleable from many points of view. In one fell swoop it would give thousands of people access to the legal system. It would cost the government hardly anything, and it would allow lawyers to be creative for their clients.

"It would even be good for the defendants.

"And then, Scott made legislative history. He called in representatives of all the groups that were going to be affected by class action legislation—manufacturers, environmentalists, lawyers, big business, small business and consumers—and he made them a promise:

"You will be an advisory committee that will actually make the law. We will give you general parameters. If you come in with unanimous recommendations for class action legislation, we will push it through the political process to become law."

"The results were pure magic."

What ultimately transpired was the bill that now has received first reading in this Legislature.

In addition to the consultative process being set up with regard to class actions, that same consultative process, as I understand it, has been set up with respect to the law of standing. I anticipate that we will see the results of that consultative process in a bill that I would anticipate the Attorney General will present to this Legislature. It will not be a bill that will be a regurgitation of what the Ontario Law Reform Commission has provided and which is reproduced in Bill 77.

I am somewhat surprised that this bill is before us at this time, only because the consultative process which was set up by the former Attorney General has also been set up to deal with the law of standing.

Just to get into the actual bill, the law of standing at the present time in this jurisdiction is based on judge-made law. Judges develop standing as a way of controlling the judicial workload and to encourage greater judicial economy. Standing rules are designed to prevent busybodies who would litigate matters of no direct interest or concern to them and it is a way of protecting the court from frivolous and vexatious actions brought by those people. It is also an attempt to ensure that only the best arguers, those with the most direct interest, are available and prepared and able to present cases to the court.

Standing judgements frequently confuse the issue of standing, which is the screening of a plaintiff's case, with the issue of justiciability, the screening of the case itself. I think what we have before us now is quite simply a set of rules that will not only go to screening plaintiffs, but beyond that. The Ontario Law Reform Commission's bill goes beyond that. In fact it looks at new causes of action, and I think that is beyond the scope of reforming the law of standing itself.

The law of standing has one function and that is to screen potential plaintiffs and to exclude those who are, for some policy reason, to be refused an opportunity to litigate the cases they seek to bring. Standing is the preliminary barrier which is directed at the plaintiff and not at the merits of the case.

The bill that is before us, Bill 77, as I stated, is a bill that was essentially prepared and studied by the Ontario Law Reform Commission. The bill sets out what I would describe as a factors approach to the law of standing. What the bill does is it sets out in section 2 a number of factors, and those factors have to be achieved before a person gets standing.

The difficulty I have with the factors approach is that it provides a very open-ended list of things that must be proved to obtain standing. Quite frankly, it is confusing. There are too many factors. It is too open-ended. It is too uncertain. A lawyer will have great difficulty in advising a client whether a person can obtain standing in a given situation.

One need only look at the factors that are set out. Section 2 sets out the factors:

"(2) In making a determination under subsection (1), the court shall consider,

"(a) whether allowing the person to commence and maintain the proceeding would be unfair to the persons affected" That is pretty open-ended. There is nothing concrete

about that. "(b) whether there is another reasonable and effective way to raise the issues that the person who commenced the proceeding is seeking to litigate" Again, that opens up a broad investigation of what other alternatives there might be. "(c) if the issues in the proceeding arise in another proceeding against the same defendant or respondent, whether the interests of the person who commenced the proceeding can be met by intervening in the other proceeding and whether it is reasonable to expect that person to do so."

Again, a great many considerations have to be examined before we decide whether there can be standing in a given case.

1020

The next subsection is 2(3), "For purposes of clause (2)(a), the fact that the result of the proceeding may affect a person whose interest is personal, proprietary or pecuniary is not necessarily unfair." Again, we get into the issue of defining unfairness.

The next subsection is 2(4), "In addition to the factors mentioned in subsection (2), if the interest of the plaintiff is not personal, proprietary or pecuniary, the court shall consider whether the issues raised in the proceeding are trivial, the number of persons affected by the proceeding in any way, whether personally or otherwise, and any other factor the court considers relevant."

That open-ended approach does not make the determination of standing a simple process. It makes it a very complicated process and does not provide, as the former Attorney General said, a pillar that I think is a strong pillar among the four pillars that he pointed out, which I think are important and valid but this is not the best method to approach this subject.

I also believe, when we look at the area of costs, that there is a very complicated section in this bill dealing with costs. I think we have good general rules dealing with the issue of costs. We should stick to the general rules we now have. We should not depart from those ordinary rules unless there are special, defined circumstances in a bill to do so.

I believe the current law of standing is vague, uncertain and contradictory. I believe that this bill, although a step in the right direction, is a bill that will be very difficult to institute and very difficult for lawyers in order to advise clients as to whether they have standing in a particular matter.

I also believe this bill will in fact try to create causes of action that may not have existed before, and I think that if we are looking to reform the area dealing with causes of action we should not be doing that in a bill that is looking at reforming the area of standing. I think the factors approach leads to judges looking for new causes of action and reforms in that area. I disagree with the former Attorney General when he says this does not give the courts more power. I believe this will lead to many new causes of action within the area of standing alone.

It has been a pleasure to have the opportunity to make some brief comments about the law of standing. I believe it is in the interest of this Legislature to vote against this bill because the consultative process that the former Attor-

ney General set up with respect to class actions is also in the course of investigating the law of standing. I think it would be a better law, just as the class action law is going to be a better law, if the consultative process is the process that determines what that law should be. If the interest of the manufacturer and the interest of the labour union and the interest of big business can all get together and create a law of standing that everyone can live with, it will be a better piece of legislation than the piece of legislation proposed by the Ontario Law Reform Commission.

Accordingly, I will be voting against this bill. I do not believe that a bill dealing with a factors approach to standing is in the best interests of the public. I look forward to the consultative process continuing regarding the law of standing and regarding a bill that I anticipate the Attorney General will be providing to this Legislature.

Mr Wessenger: I appreciate the opportunity to speak on this bill and I enjoyed the articulate presentation by the member for St George-St David and also the contribution of the critic for the third party. I think many of the issues he raised are very relevant with respect to this bill. The bill was a recommendation of the Ontario Law Reform Commission, but I believe it has some serious difficulties, some of which were referred to by the member for Willowdale.

At the present time the Ministry of the Attorney General is in a consultative process with respect to the matter of the law of standing. An advisory committee to the Attorney General has been set up and is in the process of making recommendations to the Attorney General, and I think at this time it would be very premature to pass this bill without the benefit of those recommendations and without the benefit of further consultation.

For that reason I would oppose the bill, although I must say that I support the principle of reform of the law of standing. I do not have quite the same concerns with respect to the matter of new causes of action, but I think we have to be very clear as to what new causes of action are going to be created and what factors will be taken into consideration. I think the bill does not have sufficient particularity with respect to the whole question of the law of standing. I look forward to our ministry bringing forward new legislation which will parallel the legislation with respect to class actions and which will also take account of the fact that we are going to be introducing legislation with respect to an environmental bill of rights, which I think is also a very relevant consideration.

In these circumstances I would ask members to vote against the bill. We look forward to debating a bill that will be developed after the full consultative process.

Mr McGuinty: It is my pleasure to rise and speak to the House today in support of this particular bill. To my mind, the member for St George-St David has, in his former role as Attorney General, proven to be on the leading edge of reform of our legal system, particularly in matters relating to ensuring accessibility to our courts. I can think of the Intervenor Funding Project Act and his initial introduction of the reform of class action legislation as two particular examples.

This bill is entitled An Act respecting Access to the Courts, but it could just as well be named the Access to Justice Act. This bill seeks to remedy a situation, an inequity in our law of standing. That is the law which in our civil courts determines who essentially can advance and maintain an action; that is, who can sue.

The existing law of standing, as indicated by other members, is complex. There has been an evolutionary process ongoing in some areas, particularly in matters relating to constitutional challenges, and some areas of administrative law. But with respect to harm being caused by a community, particularly in matters of the environment, for instance if a factory was causing pollution in a community, as it stands right now it would be impossible for a member of that community to advance a cause on behalf of the community against the factory owner without first obtaining the consent of the Attorney General. So we have the Attorney General interposed between the member of the community and our system of courts. He is essentially acting as a gatekeeper and that places him or her in an uncomfortable position of conflict. I will talk about that a bit further in a minute.

But essentially, this law of standing that we have is a holdover from days when it was felt that there should be a strict separation between public interests and private interests. The thinking was that an individual could sue if his private rights were infringed, but it would be up to the state to protect us if our public rights were being infringed. As I indicated, that law has been evolving in some areas but it has not caught up with other areas and particularly matters relating to environmental law.

1030

There have been problems advanced historically relating to the Attorney General's position and the fact that he has to provide his consent if these kinds of actions of which I have been speaking are to be advanced in the courts. Those present obvious problems of conflict. For instance, if the government was at fault in harming a community, the Attorney General is found to be in a position of conflict where he or she will have the unenviable role of being both a guardian of the public interest and a member of cabinet. At the very least, the perception of conflict of interest is present.

Another thing to keep in mind with respect to the Attorney General is that as a member of cabinet in a parliamentary system of government, the job has political dimensions and the Attorney General may be influenced politically not to consent to a request by an individual to sue for breach of a so-called public right.

We could think, for example, of a one-industry town. If the industry was causing harm, the Attorney General would have to consider the potential political consequences of a court possibly shutting down a factory and the resulting loss of jobs. Again, the Attorney General is placed, through no fault of his or her own, in the unfortunate position of a conflict of interest.

The third difficulty that lies with respect to the role the Attorney General plays in this is that no appeal lies from the decision of the Attorney General, so even if we could establish that the Attorney General allowed his conflicting

interests to dictate his refusal to an individual to proceed with a court action, no court would hear our appeal from that decision.

What this bill does is remove that burden from the Attorney General and places it in the hands of our courts, our impartial tribunals, so that the Attorney General is no longer a gatekeeper to the courts. The plaintiffs can proceed directly to court and their access to justice becomes, in matters of this nature, unimpeded.

With respect to this floodgates argument that has been advanced since time immemorial in matters of this nature—that is, if this bill or similar legislation were to pass, the courts would be overrun with litigation; every Tom, Dick and Mary would be bringing an action—I would submit that this bill has a number of checks in place to ensure that this does not happen.

I would like to address particularly the factors, earlier referred to by another member, which are listed in section 2 of the draft bill. This section outlines specific factors for the court to consider in determining whether a person can sue for breach of a public right. The factor in subsection 2(a) says that the court shall consider whether allowing the person to sue would be unfair. If I was to act for a defendant, I would love to have that on my hands, love to have that criteria available to me because it would provide me with ample scope for making an argument that a particular action was unfair. That acts counter to the other member's position that this will open up the floodgates.

With respect to subsection (b), it specifically addresses the possibility that there may be another way, outside the courts, to deal with this kind of problem that has arisen. So the court is specifically required to address that. If there is such another way, then obviously that is going to be a factor that weighs against granting standing.

In subsection (c), the court is specifically required to address the possibility or the fact that the issues may have arisen or be arising in another proceeding and it must consider whether the interests of the plaintiff could be met by a simple intervention in the other proceeding in order not to double up the actions.

In subsection 4, the court is required to determine whether the issues raised are trivial in nature. It must also consider the number of persons affected by the proceeding. What the subsection is saying is that if a defendant—that is, the person being sued—can show that the reasons for not allowing the action outweigh the reasons for allowing it, then the court will dismiss or stay the action; it will not grant standing. In other words, the defendant is not an open target for all would-be litigants.

Now, a second deterrent is found in this bill, a deterrent against the floodgates argument, and that is related to costs. With respect to costs, the plaintiff must qualify in order to be immune from costs. In other words, the plaintiff may, if he or she loses, have to pay the other side's costs unless the court is satisfied of five distinct things, and clause 5(1)(a) provides, "No costs shall be awarded against a person who commences a proceeding if (a) the proceeding involves issues whose importance extends beyond the immediate interests of the parties."

In this section relating to the costs, there is a recognition of the social value placed upon these kinds of actions and a recognition that if costs are to follow the action, as they traditionally have, that may act as a significant deterrent to the courts' hearing these kinds of matters.

With respect to subsection (b), the court is considering whether "the issues...have not previously been determined by a court in another proceeding against the same defendant," whether the matter has in fact been dealt with in the past, this very kind of issue. Subsection (c) requires the court to determine whether the person who has commenced the proceeding is being vexacious, frivolous or abusive. If they are, then they are going to have to face the possibility of paying the other side's costs. I would submit that is a significant deterrent to a person advancing a case in the courts without just cause.

With respect to subsection (d), the courts are specifically required to consider, in determining whether a plaintiff is to be immune from costs, whether that person is proceeding on the basis of an attempt to obtain economic reward, and the bill essentially says that the legislation does not set out to permit that kind of advancement of a case.

Finally, in subsection (e), the court is required to consider whether "the defendant is clearly more able to bear the costs of the proceeding." If the defendant is clearly more able, then the possibility exists for the plaintiff to be made immune in the event that he or she succeeds with his or her action. If the defendant is not able to bear the costs, then it is unlikely, or it is certainly a factor that the court must consider in determining whether the plaintiff would be immune from costs.

Then there is the matter of settlement. That is also significant. It provides that if a party is granted immunity—that is, he has passed the tests set out in subsection 5(1)(a)—in the event that an offer of settlement has been presented, that party may not be entitled to his costs beyond the date on which the offer was submitted if the judgement was not as large, if the outcome was not as successful as the offer of settlement. Again, that acts as a deterrent to proceeding recklessly in the courts. Again, I would submit that it is a significant deterrent in terms of combating this floodgates argument that has been advanced today and has been advanced historically.

I would submit that the bill is thorough in that it not only removes the Attorney General as a gatekeeper to the courts but it also removes the matter of costs in a most reasonable way as an impediment to persons who would not otherwise be able to bring an action essentially, not technically, on behalf of a community which is suffering a collective harm. Plaintiffs, if they meet special criteria, are made immune as to costs even if they lose, but they are only immune if the five special criteria set out in section 5 are met.

Again, these criteria recognize the social value that we place on having an individual member of society bring a concern to court which is a concern to an entire community and not just to the individual plaintiff, himself or herself.

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I would submit that the bill is another step in improving our accessibility to justice in Ontario. It is based on recommendations made by the Ontario Law Reform Commission, as noted by the member for St George-St David. That law reform commission is recognized widely as a thoughtful body dedicated to improving our laws. Its recommendations have formed the basis for a number of significant improvements to our laws in the past. I would submit that the bill strikes a fine balance between allowing greater access to our courts and at the same time ensuring that such access does not become the subject of abuse. I lend my wholehearted support to this bill.

Mr Carr: I am pleased to rise and add a couple of quick points on this bill. It was kind of ironic that last night, at my annual meeting, I was speaking with a couple of lawyers who obviously were Conservatives, and the name of the member for St George-St David actually came up in conversation. The comments, even from the good Tory lawyers, were that he had a great legal mind and was well-respected. So it is interesting that this morning we are dealing with the bill, when in fact we were talking about him just last night.

Unfortunately, the problem I have in looking at this bill is that even in the very title, An Act respecting Access to the Courts, as we sit here today, the access to the courts and our criminal justice system in fact is completely broken and it does not work. Even the courts themselves have said that, as a result of the famous Askov decision. They have said it is not working. Justice is not happening quickly enough and the whole system is broken and not working properly.

I sit on the standing committee on administration of justice and we heard some of the debates over Bill 17 on support and custody, how if you have to go before our courts, it could literally take up to a year to wait to get any orders changed. There were actually some individuals who came before us who talked about spending \$35,000 during the course of some of the proceedings through the courts. So we talk about making An Act respecting Access to the Courts and yet in fact the criminal justice system is broken. I submit to you that when we have one year and a cost of \$35,000, that is not access for the average individual.

What I would like to see us do is take a complete review, a comprehensive review, of the entire court system and begin there. Rather than trying to deal with small, individual bills, we need to take a look at how we are going to operate in the court system and get working effectively and quickly, because right now unfortunately, that is not working. I think if we are going to do that, we need a long-term plan, not short-term, quick fixes, because they have not worked. That is what I would be encouraging us to do and I would submit to the Attorney General that that is what we need to do. He would have the support of myself and our critic for the Ministry of the Attorney General if we would proceed in that manner.

Mr Winninger: I have enormous respect for the former Attorney General, whose forays before all levels of the justice system, including boards and tribunals, is the

stuff of legend certainly and fills the law reports to the point of bursting, much to the chagrin of the law students who have to read them.

I also find it refreshing that the former Attorney General, who shortly after his ordination as Attorney General back in 1985, when addressing a joint symposium sponsored by the Canadian Bar Association and the Law Society of Upper Canada, talked about ways in which we could restrict access to the courts through arbitration and other models, which perhaps thankfully he did not pursue during the course of his tenure as Attorney General, now seeks to expand access to the courts.

I certainly can applaud his initiative in that respect. I believe it is essential that we look at reform of access to the courts, as the Ontario Law Reform Commission did. It presented its report in 1989, and we see that in substance the former Attorney General's bill is strikingly similar to the recommendations made by the law reform commission in 1989. Certainly, as the former Attorney General has said, the members of that commission were a very august lot indeed.

As was described by the member for St George-St David, public nuisance is a somewhat antiquated rule, and it was criticized by the commission. It limited relief to the Attorney General or his surrogate, also known as a relator, and a person other than the Attorney General or his relator had to show a special or unique harm if he was seeking a private action for public nuisance, unless of course that plaintiff had the consent of the Attorney General to do so.

Over time, the same doctrine was extended to public right and also to public interest. Fortunately, as the member has referred to, a trilogy of Supreme Court cases—Thorson, McNeil and Borowski—expanded that rule and abolished the public nuisance rule and, I should say, expanded access to the courts for individuals other than the Attorney General.

With regard to constitutional challenges, it was more flexible, and it became unnecessary for the plaintiff to show or prove special damage or interference with his or her personal pecuniary or proprietary rights. The test enunciated in Borowski was to establish status as a plaintiff in a suit seeking a declaration that legislation is invalid. If there is a serious issue as to its invalidity, a person only need show that he or she is affected by it directly or that he or she has a genuine interest as a citizen in the validity of the legislation and that there is no other reasonable and effective manner in which the issue might be brought before the court. This rule that was set out in Borowski in turn was extended to constitutional challenges involving administrative actions in a subsequent Supreme Court of Canada decision in *Finlay*.

I acknowledge that there are still problems, that the public nuisance rule continues to apply in such situations as environmental law and that there are reservations with regard to the somewhat ambiguous test that the Supreme Court of Canada has set down for access of this kind. As has been mentioned by the member for Simcoe Centre, the Attorney General is currently awaiting a report of his advisory committee representing a broad range of interests affected by the standing legislation.

The mandate of that committee is to make recommendations regarding standing and intervention, to expand the basis on which individuals have access to the courts and to raise important matters of public interest. I do not believe that we can deal with the issue of standing unless we also deal with the related issue of intervention. Certainly we have had an opportunity to see how rule 13 of the rules of civil procedure has been interpreted by the courts with regard to intervention applications.

We still have to look at a number of variables, and I believe that is what the advisory committee is addressing at this time: the issue of the relationship of standing and intervention, the criteria which the member of the third party has referred to for refusing applications for access and also, quite importantly, the issue of costs.

No one would argue, I believe, that actions that are frivolous or vexatious have to be discouraged, and traditionally cost consequences have been one avenue towards restricting these kinds of trivial applications. Once you remove that restriction with regard to the imposition of costs, you may have to find some other avenue to limit the multiplicity of proceedings before the courts.

In conclusion, while I certainly applaud the initiative taken by the former Attorney General, I would not be able to support his bill at this time, simply because the full consultation—and I believe that kind of consultation would have been sought by the former Attorney General during his tenure—the advisory committee, which was only set up in December 1990, has not had full opportunity to report back to the Attorney General and give the Attorney General the benefits of its broadly based views based on public input.

1050

Mr Lessard: I just want to make a few short comments with respect to the private member's bill introduced today by the member for St George-St David.

First of all, I want to say that there are a couple of things I really like about this bill. One of them that I find a bit seductive is the title, An Act respecting Access to the Courts, and section 1, "The purpose of this act is to increase access to the courts." This is something that on its face really appears to be a desirable purpose. Of course, we all know that being able to increase access to the courts provides some opportunities for people who are involved in the legal profession as well.

However, as mentioned by the member for Oakville South, I believe it was, there are some problems that are occurring in the criminal justice system at the present time and problems that are a result of the decision in the Askov case. Of course, we are not dealing with the criminal justice system in this bill; however, I think that taking the member for Oakville South's arguments further, he is stating that perhaps the problems in the justice system go beyond the criminal justice system and may affect other court systems as well. That is quite possible.

I think that instead of trying to increase access to the courts, perhaps what we should be doing is trying to increase access to justice. That may not involve increasing access to the courts at all. That may be a recommendation

that does come from the advisory committee to the Attorney General which has been referred to earlier. One of the reasons I am not supporting this bill today is because I would like to see the recommendations from that committee as well.

I just want to reiterate some of the concerns that were mentioned by the member for Willowdale as well when he talks about the factors that a court would have to consider in determining whether a person would be permitted standing. One of the comments he made was that these factors are confusing. They are open-ended, and a lawyer would have difficulty in advising his client with respect to whether he may be able to obtain standing or not.

He also indicated that the other factors that may be considered are open-ended. They are very complicated. Certainly that is something that could be said about this entire bill. It is somewhat complicated and difficult to explain, not only to members of this caucus but to the public in general. That is another reason I cannot support it.

Mr Scott: I would like to thank all members who have participated in this debate. Obviously a number of them have gone to very considerable trouble to prepare themselves, and they have made useful contributions.

I want to thank particularly my colleague the member for Ottawa South, who gave better examples for the necessity of this reform than I was able to engender myself, and to say to my good friend the member for Willowdale that his observations were useful. He is an extremely able lawyer and a profoundly conservative figure. When he tells me that he is sympathetic to the principle but he is nervous about its application, I get a real sense that I am on the right reform track in advancing the bill.

Both the member for Willowdale and the member for Simcoe Centre, the parliamentary assistant, referred to the advisory committee that is in place. I know something about advisory committees and I do not hesitate to tell the parliamentary assistant that advisory committees only produce a unified response when the minister has leverage over them. You do not get a company or manufacturers' association that produces toxic chemicals and the environmental law foundation to agree on the terms of a law unless you have leverage, and advisory committees do not have leverage.

I had leverage with respect to class actions, which I will tell members about some other time—I do not want to go public with the leverage I had—but the problem around standing is that the leverage is not there. That is why this bill should be passed of course, because if this bill is passed, then the Attorney General will be able to say, "We have the member for St George-St David's bill," which is theoretically going to committee, and that will provide the Attorney General with the leverage he needs to bring the two sides together in support of a different or more modified principle.

What I am really trying to do here is give the Attorney General the kind of leverage I had in class actions with respect to standing. I know what his caucus said and all the rest of it, but if he wants to get a report from the committee that is unanimous, he will want to support this bill at second stage, because it will provide the leverage against

which the Attorney General will be able to argue for a unified response.

I just want to end by saying that a bill of this type is inevitable. This bill should be passed now because it will give the government, which has the major responsibility in introducing reform, the essential leverage without which these changes cannot on a basis of unanimity be advanced. I hope it will attract the support not only of real reformers but of those who support the principle and are simply nervous about the fringes, which can be taken care of in committee.

KITCHENER-WATERLOO

Mrs Witmer moved resolution 11:

That, in the opinion of this House, recognizing that the communities of Kitchener and Waterloo are inextricably linked and a spirit of co-operation exists between the two communities; and since the two cities make up the largest twin city community in Canada; and since the Kitchener and Waterloo city councils have passed resolutions endorsing changes to the Highway 401 directional signs to refer to the cities of Kitchener and Waterloo; and since the Twin City Task Force agrees that the cities of Waterloo and Kitchener will be better served and recognized if the signs along the 401 refer to Kitchener-Waterloo, the government of Ontario should change the Highway 401 directional signs, which currently only name Kitchener, to refer to the cities of Kitchener-Waterloo.

Mrs Witmer: I rise this morning with a great deal of pleasure to debate my first private member's resolution in this House. This issue of signage to recognize the city of Waterloo along Highway 401 has been and is a very important issue for the residents in my community. The negotiations for more adequate signing for the city of Waterloo have been going on for several years. They have been long and they have been protracted.

My predecessor, Herb Epp, was successful in having some of the changes in signing made at the Highway 401 interchange in 1989. This involved the installation of three overhead signs on Highway 401 westbound, two ground-mounted signs on Highway 401 eastbound and one overhead sign and one ground-mounted sign at the new Highway 8 and King Street interchange.

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The change in signage at these interchanges from Kitchener to Kitchener-Waterloo was very much appreciated by all of the residents in my community. However, more recently the cities of Kitchener and Waterloo, as well as the Twin City Task Force, representing both city councils, have again requested that all of the Highway 401 directional signs that presently refer to the city of Kitchener be changed to Kitchener-Waterloo.

The Twin City committee passed this resolution on 7 March 1991, the city of Waterloo passed the resolution on 18 March 1991 and the city of Kitchener passed it on 25 March 1991.

Since no action has been taken until this time, although there has been ongoing dialogue with the Ministry of Transportation, I have brought this resolution forward to this House for action.

I would like to share with you at this time some information regarding the city of Waterloo.

Waterloo is located in the heart of southern Ontario. I believe it has the best of both worlds. While it is surrounded by green farm land, the city is a modern, vigorous business and industrial community. The city of Waterloo is located within the regional municipality of Waterloo and has a population of just over 79,000 people.

Within the city there are firms such as NCR, Raytheon, Hewlett-Packard, Mitsubishi Electronics, Electronic Data Systems and many more smaller firms with high- and advanced-technology capabilities.

The business base for the city of Waterloo is made up of some 2,200 businesses of all kinds: manufacturing, retail, professional, service and educational. It is the educational area that I would like to focus on at this time.

Waterloo's history as an educational centre goes back to the first log house, which is on display in our park today. Today, that humble building would fit comfortably in one of the many classrooms, labs and lecture halls of our two universities. Both universities, the University of Waterloo and Wilfrid Laurier University, contribute greatly to our city's economic development and enrich its cultural, athletic and recreational life.

The smaller university, Wilfrid Laurier, has approximately 4,200 students. It is well known for its business administration program, which has gained wide acceptance in the Canadian business community. It is also known for its social work and its music programs. It was founded in 1911.

The University of Waterloo introduced co-operative education to Canada. Co-op alternates work and study terms. That university was founded in 1957. It is now the largest co-op institution in the world with more than half of its 16,500 full-time students in co-op studies. The university has a full and part-time enrolment of over 25,000 students.

The University of Waterloo has become Canada's major source of high-technology graduates and it is a leading research centre, both for government-funded and private industry collaborative projects.

The University of Waterloo's computer software developments are world-renowned. The university also pioneered audiotape correspondence education, and most of its 9,000 part-time students utilize this mode. It has had 20 years of experience in the field of distance education.

Two theatres, four museums and an art gallery on the campus make it a strong cultural contribution to the city of Waterloo.

I also want to mention the school of accountancy and the school of optometry at the University of Waterloo.

The city of Waterloo can also boast a broad industrial base—this includes electronics and other high-technology industries—as well as having a very solid commercial community. As well, Waterloo has long been known as the home of Canada's insurance industry. Six companies make their head office in Waterloo, and obviously they are most anxious to know of the government's plans for auto insurance.

Besides the University of Waterloo and the theatres and the cultural activities that are offered, we also have Laurel Creek Conservation Area. We have the Seagram Museum, which was opened in the spring of 1984. It is a world-class museum. Just recently, the provincial government and the federal government have provided funding for a new museum, the Gallery of Clay and Glass.

Yes, Waterloo offers many opportunities to enhance the lifestyle of its residents, not only to its own residents but to visitors from Ontario and throughout the world. This is one of the reasons that it is important to the community that appropriate recognition be provided in the form of signage.

Many people have asked me: "Why would both city councils endorse this resolution? Why would the city of Kitchener support this as well as the city of Waterloo?"

As I have mentioned, the two communities are inextricably linked and a spirit of co-operation does exist between them. The two cities are the largest twin city community in Canada. The cities focus as one tourist destination. The two cities work co-operatively together on all fund-raising projects and economic development and each year, in October, they jointly host the annual Kitchener-Waterloo Oktoberfest festival. They also share recreational and educational facilities, as well as their hospitals. The list of co-operative and mutually beneficial initiatives that they share goes on and on.

As well, Kitchener and Waterloo are integral components of Canada's technology triangle and are setting the standards for the country's future economic development. However, both cities have realized and are to be complimented for their determination not to sacrifice the charm and the friendliness of their communities for the sake of widespread development.

I would like to quote at this time, from the Twin City Task Force, some of the reasons for the change in the signage. I quote from a letter from Susan Forwell, the co-chairperson of the Twin City Task Force when she says:

"The communities of Kitchener and Waterloo are inextricably linked and this type of signage will reflect the spirit of co-operation that our councils wish to pursue. The twin cities make up the largest twin city community in Canada and the task force and the councils would like the signs on the 401 to reflect this reality.

"Tourism is a major and increasing source of revenue and economic development in the two cities. Both chambers of commerce see the cities as one tourist destination and both chambers also support this resolution.

"The members of the Twin City Task Force are confident that the province will agree that the cities of Kitchener and Waterloo will be better served and recognized if the signs along the 401 refer to Kitchener-Waterloo."

I strongly support the resolutions that have been passed by Waterloo and Kitchener councils and the Twin City Task Force and I would urge this House that the Highway 401 directional signs, which currently only refer to Kitchener, be changed to refer to the cities of Kitchener-Waterloo.

Mr Dadamo: As parliamentary assistant to the Minister of Transportation, I would like to respond to ballot number 18 this morning.

I thank the member for Waterloo North for her interest in the matter of signage identifying the cities of Kitchener-Waterloo. I am also pleased to inform the honourable member that in fact there are directional signs on Highway 401 that clearly identify the cities of Kitchener-Waterloo. I saw the sign on Friday night as I was driving down the 401 back to Windsor.

A couple of years ago, the Ministry of Transportation responded quickly to resolutions put forward by the twin cities of Kitchener-Waterloo by providing new directional signs on Highway 401 at Highway 8 indicating access to both those municipalities.

This is a resolution put forward by the member for Waterloo North which I fully support today.

1110

My honourable colleague the member for Waterloo North may be aware that prior to 1989 the signing on Highway 401 at the Highway 8 interchange identified Kitchener and Cambridge as the municipalities directly accessed by that exit. I would like to say that the city of Waterloo was added to the Highway 401 signs after its local council endorsed a proposal to change the signage. That took place in June 1989. Further, there is one sign in the area that indicates Highway 8 as the route to take for downtown Kitchener, but the sign cannot include Waterloo because Highway 8 does not lead directly to downtown Waterloo. Signs directing travellers to downtown Waterloo are appropriately located along Highway 86.

As members know, directional signs are an integral part of the transportation network of the province of Ontario. By virtue of their positive impact on the efficiency of the intercity movement of people and goods, directional signs play a very important role in enhancing business and tourism opportunities throughout this province.

As well, the Ministry of Transportation understands that the location and content of highway signage can sometimes be an issue of major interest to Ontario communities. So in this regard we encourage local groups to provide input on these matters, and we are extremely pleased to look into any request from the public.

I would like to assure this Legislature this morning that the Ministry of Transportation is committed to ongoing consultation with municipalities right across this province and we will respond to such proposals as that of Kitchener-Waterloo council.

Mr Mancini: I am pleased to join the Legislature in this debate this morning concerning the private resolution of the member for Waterloo North. I have already informed the member that I intend to support and speak in favour of the resolution.

I think she has this morning, in a very eloquent and factual way, explained to the Legislature why the signage on Highway 401 should read "Kitchener-Waterloo." The member has explained fully the business and tourism benefits that the twin cities would receive. She has already explained to the House that the local communities are in fact working together and have asked the government to do this.

It appears that the case she has made this morning is gaining favour on all sides of the House and it appears that her resolution will pass unless we hear something different later on this morning.

If that is the case, I would then request of the government, on behalf of the member who introduced the resolution and on behalf of Kitchener and Waterloo, that we get on with changing the signs and that we get on with the re-signing of the existing signs so that the communities' needs and wishes can be met.

This is one thing the government can do without having to spend a lot of money. I see all the New Democrats smiling except one. I do not know why. Now they are all smiling. On a Thursday morning, I want to give advice to some of the government members. Life in the Legislature and life in a government is in fact very tough.

Mr Bisson: We don't need any lectures from you. Why don't you speak to the issue?

Mr Mancini: I am not lecturing; I am just giving the member a little bit of advice. A very intelligent member like himself would take this advice. Life is tough in government, but the New Democrats should reserve Thursday mornings for their weekly smiles. It will help their dispositions. It will help their outlook on all the difficult decisions they have to make as a government. That is one of the reasons I like the member for Windsor-Sandwich, because he is ready and able to smile even though he faces many difficult decisions as a member of the government. Mr Speaker, you have been here a number of years yourself and you know how important it is to have a reasonable outlook on many of the issues the government faces.

I say to the government that the member has brought forward a reasonable resolution. She has the support of her community. She has the support of people who are elected in her community. She has the support of the Legislature. It is not an expensive proposition. The government cannot plead poverty on this one. The government cannot say the community is divided and therefore it cannot take action, as it likes to do in a number of things. The government likes to do that. We know those people. We know they like to do that. So now all of those problems—

Interjections.

Mr Mancini: I do not know why I am being heckled.

The government has all of these things at its disposal now: a unified community, an item that does not cost much, the Legislature in support. What we need to know from the government this morning is, if the resolution passes, as we think it will, when will it undertake this initiative?

The parliamentary assistant is here. It appears that the parliamentary assistant is in support of it. The member who introduced the resolution is waiting for an answer. The people of Kitchener and Waterloo are waiting for an answer. The government has the opportunity to move quickly and be decisive for a change, and do something positive for a change. We are all here waiting anxiously to see if the government can in fact do something that does not cost a lot of money and is beneficial to a community.

I do not know what more we can say to the government members. It has been outlined very clearly. I do not want to be repetitive. The member has outlined the advantages that this will have to her community. As a matter of fact, I believe that for the Minister of Transportation—who has fumbled his way along over the last seven months as minister and who has broken a lot of promises, as we know he has over the last seven months, flip-flopping on every issue—this is going to be an opportunity.

I know for a fact that if the member for Windsor-Sandwich were the minister, I would not be as concerned as I am now. He is a neighbour. I understand him. I know him a little better. But I know the record of the Minister of Transportation, so I am concerned. I hope he will be able to move quickly and alleviate the concerns of all the members of the opposition on this matter.

I also want to give the government some advice on how it should announce this change. I think it would be very gracious of the government to have the member who introduced the resolution announce the change. I think it would be very gracious of the government if it would allow the member who brought these concerns to the Legislature, who used her ballot item to speak on behalf of Kitchener and Waterloo, to be intimately involved in any type of official ceremony that will take place and in fact to make the announcement on behalf of the Legislature.

We are going to see in the next few weeks whether or not this government will move forward with something as important but also simple to accomplish as this change of signs, and we are also going to see how gracious it can be.

With those few words, I want to again reiterate my support for the member who has introduced this resolution and say that we will all be looking forward to her accomplishment. We certainly want to do everything we can to enhance the business and tourism opportunities that exist in the Kitchener-Waterloo area.

1120

Mr Arnott: I am very pleased to rise in support of my colleague's private member's notice of motion 11. I think that the member for Waterloo North is one of the most sincere, capable, conscientious members of this Legislature and that she has very ably this morning advocated on behalf of her municipality.

I listened with interest to the comments I heard from the member for Windsor-Sandwich, who was speaking in his capacity as parliamentary assistant to the Minister of Transportation. I took note of what he said.

I think part of the issue is the discretionary power that the regional directors of the Ministry of Transportation have in this area. They have a good deal of power. They have an opportunity to put forward initiatives that are directed to the local area, and that is a positive thing, I think, but this particular issue indicates that more common sense could be brought to bear, to ensure that issues like this would not have to come to the floor of the Legislature.

I also listened to the member for Essex South and his able contribution to this debate, and I enjoyed his advice as well.

I think that probably the main issue that is reflected with this member's resolution is recognition: recognition of the city of Waterloo and of Waterloo North, the member's riding. Anyone who knows the area will know that Kitchener and Waterloo are very much linked, inextricably. They have grown over the last number of years until you really do not know if you are in Kitchener or Waterloo unless you notice the sign when you drive through down King Street. I was a student at Wilfrid Laurier University for five years. Five days a week I spent in Waterloo and I think I know the area reasonably well, and I think that Waterloo, being the size of city it is, as well as the number of advantages and the things that Waterloo has to offer, certainly merits recognition on the signage issue.

With respect to the member for Windsor-Sandwich, he talked about the numbers of signs that have already been put up on the highways, indicating that Waterloo was associated with Kitchener. I think what the member for Waterloo North is trying to say is that on Highway 401, some distance away from Kitchener-Waterloo, it should indicate Kitchener-Waterloo. I think the member for Windsor-Sandwich perhaps overlooked that aspect of it.

I think one of the biggest strengths of this resolution is its simplicity. I think that all members can appreciate this and understand this and can understand the member's motive for putting it forward in terms of enhancing the recognition of her riding.

The other compelling issue, I think, is the indication of support from the city of Kitchener. Certainly they are very supportive of it, and I do not think enhanced recognition of Waterloo would reflect detrimentally in any way on the city of Kitchener.

In closing, I would just like to congratulate once again the member for Waterloo North for her excellent presentation this morning and I would encourage all members of the House to vote in favour of this resolution.

Mr Cooper: I rise today in support of the resolution put forward by the member for Waterloo North. The cities of Kitchener and Waterloo make up the largest twin city community in Canada and are locally referred to as the twin cities. Our government has stated its commitment to boost tourism in Ontario. Tourism is a major and increasing source of revenue for economic development in the twin cities, and the two cities are regarded as one tourist destination. For this reason, I believe the cities of Kitchener and Waterloo will be better served and recognized if the signs along Highway 401, which now refer only to Kitchener, are changed to Kitchener-Waterloo.

The cities of Kitchener and Waterloo are the proud hosts of the largest Bavarian festival outside of Germany. The Kitchener-Waterloo Oktoberfest festival hosts thousands of visitors, not only from Ontario but from countries all over the world. Kitchener-Waterloo signage along the 401 would facilitate foreign and out-of-town visitors in finding their way to our great cultural festival.

As well, the cities of Kitchener-Waterloo have a very active multicultural society which hosts an annual multicultural festival which is well attended.

On a regular basis, visitors to the twin cities cannot leave without experiencing a visit to any number of interesting

sites in the cities of Kitchener and Waterloo. The Kitchener Farmers' Market, the Waterloo Farmers' Market, Woods-ide National Historic Park, the Waterloo stockyards, Doon Heritage Crossroads, the Seagram Museum, Joseph Schneider Haus or the Doon pioneer tower are but a few that come to mind.

While not in the cities of Kitchener or Waterloo, a visit to Waterloo region would be incomplete without a visit to the town of New Hamburg. The board of trade and the residents of New Hamburg are proud to have completed their heritage waterwheel, which is the largest operating waterwheel in North America, and I encourage each and every member to visit this worthwhile attraction.

To help all visitors in finding their way to the cities of Kitchener and Waterloo, everyone would be better served if the signs along Highway 401 which now refer only to Kitchener were changed to Kitchener-Waterloo.

Mr Elston: It is my pleasure to join in the discussion of the resolution by the member for Waterloo North. I just have a question for the member for Wellington. Anybody who saw a more sincere speaker in the House would really wonder whether or not you would buy a suit at Sussman's in Arthur from that young fellow. But anyway, he is adding to his credentials here in the floor of the House and aiding a new member from Waterloo North.

I really think that if things are not going to change very quickly under the auspices of the New Democratic Party of Ontario, they will only need two words on the sign that they will newly erect in front of the turnoffs from 401. Those will be the words "ghost towns."

I was just looking over some of the statistics about the layoffs that are occurring in the Waterloo and Kitchener area, and I find it extremely difficult to understand how an area so well represented by New Democrats, like the member for Kitchener and the member for Kitchener-Wilmot, could not take some action to alleviate the layoffs of jobs.

Mr Villeneuve: You couldn't say that before 1985, Murray. Remember before 1985 it was going well?

Mr Elston: Actually, up until about 6 September 1990—the member for S-D-G & East Grenville, because he took away the name Stormont, Dundas and Glengarry, avoiding the tradition, has wanted to interrupt me just a little bit to take me off the mark—everything was going very well.

I just really wanted to take a look at some of the jobs that have been lost in the Kitchener and Waterloo area: Lear Siegler Industries, Domtar Packaging, Greb Inc., John Forsyth Co, Budd Canada, Pannill Veneer Ltd—Greb and Budd have had an extra couple of layoffs after that—Deilcraft Furniture, J. M. Schneider, B. F. Goodrich, Joseph E. Seagram and Sons. Then, if you happen to stray all the way to Cambridge: Rockwell International, Butler Metal Products, WCI Canada, ICM.

In small-town manufacturing Ontario, the programs and policies which have been put in place that have just recently been outlined in the budget, which moves our deficit all the way up to \$9.7 billion, speculated to go to a further \$9 billion the following year, \$8.5 billion the year after and another \$7.9 billion as deficit the year after that,

compromises places like Kitchener and Waterloo, whose histories are proud and long in the development of a province for which we have a lot of respect and affection.

The member has spoken well of her constituents, but I can tell the members that it stretches all the way from Kitchener-Waterloo into the ridings of Bruce, Wellington, into Huron, into Perth, where strong and able people have come together to invest capital and labour resources to make things just a little bit better. And it has been a little bit better. In fact, for those of us who were born and raised through the 1950s and 1960s, it has been extremely good indeed and we have benefited from an economy that our forefathers have built on the basis of some traditional sense of hard work and investment of both capital and labour in our province. In an economic sense they have prospered, not without some hardship, because I would not want to suggest to anybody in the province that our people have not had difficult times. For the people who live in Waterloo and in Kitchener and the areas that I have mentioned, there has been a sense that if they invested properly and worked hard, both from a capital point of view and a labour point of view, they could earn a return on those investments and that they could make the growth occur like that which has occurred in Waterloo and which, just to be sure that I remind everybody where I am going, is the reason why I support the inclusion of Waterloo on the sign.

There has to be a recognition that there is a reason for putting that name on a sign. It is not only to mark a tradition of growth and development and a return in a good economic and social sense to the wellbeing of the people who live there, but it is, with respect, an attempt to acknowledge that there is a future for the people of Waterloo and Kitchener and other places.

1130

I have some difficulty with respect to the economic forecast and plan that has been laid out by the Treasurer in front of the people of the province. The deficit levels which have been quoted by me ensure that there will be continuing pressure on those people who have invested capital, time and labour in Waterloo. They may not have the ability to keep the level of production and economic activity in that area at a level to which we have all been accustomed to seeing it turn out.

I am very concerned that we will not need a signpost very soon for the province of Ontario as a whole. If these people do not turn away from their wasteful economic activities, the change of direction which obscures the necessity of highlighting the good parts of our economic plan—

Interjections.

Mr Elston: There is a whole group of people whose low blood pressure has just been moved to new levels. I can hear it from across the way. Let me say that if there is not a recognition that the whole of the economic activity in Ontario is to be thrown away, if there is not some move to guard the good parts of our economic system to ensure the type of stability we have all been accustomed to in this province, then we will not need signposts. Perhaps we will need signposts with only one arrow, an arrow moving out.

Would the Treasurer please make some changes in what he has forecast for the economic activity of the province of Ontario. We can highlight what is good. We can highlight those things that have caused problems not only for you and me and for my family and forebears, but even for the people who are children who will be moving into the economic activities of this province as we go further down the way.

Interjections.

Mr Elston: They talk about not being able to afford it. We cannot afford to throw away a whole economic system which by and large has treated the people of the province very well indeed. Are there difficulties? There are difficulties. That is what budgetary policy is about, to eliminate difficulties, not to throw away the good with the bad.

We need to sense that there is a recognition that there is good in an economic system like the one we have enjoyed in Ontario, that there is a reason for preserving that good and that there is a reason for attacking the parts of the economic system that cause us problems that aggravate the social and cultural difficulties we find our people burdened with.

People talk about what we did or did not do in the last five years. There is no question that when we sit five years from now we will say, "You should have done something different." I can tell members now, this government should be doing something different from what it has done at this point.

Mr Villeneuve: First, let me congratulate my colleague the member for Waterloo North on her very first private member's bill here in this Legislature as a newly elected member in recognizing and making sure that part of that great area of Ontario that she represents, the area formerly known as Waterloo now known as Kitchener-Waterloo, is recognized on the major artery coming across the province of Ontario. I think it is a very good private member's motion and it looks like it is going to carry throughout.

I was very much interested in listening to the member for Bruce telling the people without any hesitation whatever how well the province was run during 42 years of Tory government. He said it. He mentioned a whole bunch of industries that came to the Waterloo area in those 42 years of excellent government under the Progressive Conservatives from the mid-1940s to the mid-1980s. He is attempting to lay the entire blame of difficult economic times on the government of the day.

I will get back to the subject very shortly. I must tell members that from 1985-90, the former government set the path for what we are now facing. This government has inherited a rather difficult economic position. We will try to help it through the next four years, but it must of course listen to the public of Ontario saying that the budget it has just brought in is a major catastrophe.

Signs on Highway 401 are most important. I come from an area that is quite remote from the Kitchener-Waterloo area. It is an area along the eastern limit of the province where we join with the province of Quebec. I quite often have an opportunity to travel either on

Highway 417 or Highway 401 and on Highways 20 and 40 into the province of Quebec because my riding goes right to the border. I must tell the member for Windsor-Sandwich, the parliamentary assistant to the Ministry of Transportation, that I am proud to be on Ontario roads because they are in much better condition than those adjoining us in the province of Quebec.

However, I must tell members that we must look at the signage in the province of Quebec. They identify their small rural communities much better than we do. We do not have all that commonsense an approach; if your town is not directly on the road leading off Highways 401 or 417, it is not identified. I say to the parliamentary assistant and to the Minister of Transportation that we must recognize these smaller rural communities. Waterloo is a much larger community because of its diversification and what have you.

However, I think we must deviate a bit and recognize the small communities that may not be right on that access road to some of our major four-lane highways. The province of Quebec recognizes that and maybe we should look at that. I know my own community, where I have my constituency office—and I am going to get a plug in for back home to the honourable member for Waterloo North, a little community called Moose Creek. It is not on the highway sign leading from Highway 417. The small community of Monkland is because it happens to be right on Highway 138, but Moose Creek happens to be a kilometre off Highway 138 so it is not on and I think it should be, as many smaller communities should be recognized on our major thoroughfares such as Highways 401, 417, the upcoming 416 and many others.

I think it is something the Ministry of Transportation must take note of. Again, I emphasize the fact that the quality of our four-lane highways, indeed, the quality of our road system in Ontario is much superior to what they have in the province of Quebec. The signposts of history are most important.

Mr Elston: Like Stormont, Dundas and Glengarry.

Mr Villeneuve: That is right, like S-D-G & East Grenville. I say again to the member for Bruce, as he is the one who likes to talk about the signposts of history, I ensured that the signposts of history in the riding I very proudly represent remain in place in spite of the bureaucrats and in spite of the previous government.

The twin cities of Kitchener-Waterloo traditionally have been known that way and I know we have many very proud graduates from the University of Waterloo and from Wilfrid Laurier University, formerly known as Waterloo Lutheran University, two of the best post-secondary institutions anywhere. Having the community of Waterloo known as Kitchener-Waterloo on the highway is a reminder for those people who attended those learning institutions and who have gone across Ontario and indeed across Canada and North America. When they return they have recognition of the post-secondary learning institutions they attended in the Waterloo area.

I must touch on another subject that has a lot to do with the subject at hand and again, it reflects the signposts of

history. We had 14 registry offices which will be closing shortly, as was announced by the Minister of Consumer and Commercial Relations. That is not the way to maintain the traditions we have come to expect and live with in the province of Ontario. Three of the registry offices will be closing in the riding I represent. In some instances, the reason the towns are there is because of the registry offices. Ontario started in eastern Ontario, and the registry offices were the main reason why there was a notary and later a lawyer or a group of lawyers who moved into those communities. I have now been told that some of these legal people and their staffs will be moving to wherever the registry offices happen to be. That is not the way to maintain tradition and history.

1140

By putting these together, I understand there is supposedly some economy of scale. I say to the members that if we were to look into the entire gamut of costs, which probably will mean additional staff and additional room at the main registry office, then we are running into additional costs again.

Getting back to the signage on our main arteries, I say to members that the community of Kitchener-Waterloo must be recognized along the major arteries when you have all of the councils. It is taking away absolutely nothing from anyone. It is simply recognizing what has been there traditionally for many years.

I say to the parliamentary assistant, to the minister and to the government that this must not only happen to recognize Waterloo, but it must happen in a number of other areas where we have small communities. When tourists drive through, if the names are not along that highway, chances are that the communities will not be visited even if they are identified or recognized as areas within the province of Ontario. We have to live within limits, but certainly a little common sense and a little bit of flexibility within the signage on our major highways must be changed and adhered to.

Finally, the Waterloo and Kitchener areas are fortunate to have an economy that is a good blend and a good mix. I think it was touched on by some of the previous speakers that we have a mix of ethnic cultures that bring together some of the best gatherings and, again as was referred to, in the fall in the Kitchener and Waterloo areas.

I think people should make it a point to visit and see how well these communities can get along with one another. The diversification, which includes agriculture, industry, education, manufacturing and of course the service industries, is all a blend to make the Kitchener-Waterloo area an excellent place in which to live. I certainly know that whenever I visit that area I enjoy it tremendously.

Mr Speaker, thank you very much for the opportunity; I will be supporting my colleague the member for Waterloo North in her first private member's resolution.

Mr Ferguson: I am pleased to rise in support of this resolution this morning and to assist my good friend the member for Waterloo North.

First of all, I want to thank very much the member for Bruce, who reminded everybody in the House of the

signpost of history that occurred on 6 September of last year, and because not only did he remind us that something historical took place in this province, but he reminded us why.

He talked about the Deilcraft plant that closed in my riding, my home town of Kitchener, and I want to just remind the members of the House that that plant closed while the Liberal government was in office, not us. I want to remind the members that the Greb plant closed in the Kitchener area shortly thereafter. That was as a result of the federal Conservative government letting the company take the military contract for the manufacture of military boots and move that to the province of Quebec without consulting the community or the province of Ontario at all. I thank him very much for that.

I want to remind him that the president of the Seagram plant said it was going to reorganize and close the plant in Waterloo because of the massive tax increases experienced under the Liberal government. That is exactly what they said. They said they were going to consolidate their operations as a result of that.

I want to thank him for reminding us that that signpost of history that occurred on 6 September said, among a number of things, "Stop the haemorrhaging," and that is exactly what this government is committed to do. In fact, we are already starting to do that. I want to inform the member for Bruce that Pannill Veneer, which he quoted as laying off workers, is in fact rehiring workers as of this week. The haemorrhaging is stopping.

I want to remind him that J. M. Schneider is on the road to recovery. They have bottomed out. The company officials feel they have bottomed out in terms of their slowdown in production. They are picking up speed. I want to remind him that the workers from the Budd automotive company are back to work this week. They are starting to move.

When the member talks about the signposts in history, I want to thank him for the historical perspective of what it means to have a Liberal government run the province for only five short years and indicate what kind of damage can be done. We have put the bandages on, we have administered first aid, and it is at this point in time that we are moving the patient, the province of Ontario, into major surgery. That, I think, is what needs to be done.

Mr Scott: I'd rather have a doctor do it if you don't mind. Would you have major surgery done by this guy?

The Deputy Speaker: Order.

Mr Ferguson: This signpost, I think, is more symbolic than anything else. It says that Waterloo has come of age. I am proud to be from a municipality that has had a very good working relationship with the city of Waterloo. It is not well known that the twin cities, for example, share the same transit services. It is not well known that while people may live in Waterloo, they choose to work in Kitchener or while they may live in Kitchener, they choose to work in Waterloo. It is well known that whatever happens in Kitchener has an effect in Waterloo and whatever happens in Waterloo has a countereffect in Kitchener. That is well known.

I think what we are really saying here is that Waterloo has come of age, approaching a population near 100,000. It is no longer small-town Ontario, and in fact it is viewed within our region as the high-tech area of the Waterloo region. In supporting this resolution, I think we also have to recognize that Kitchener-Waterloo is perhaps one of the most progressive communities in all of Ontario and perhaps one of the most forward thinking communities.

I will give but one small example of that. Both municipalities at this point in time are undertaking discussions to construct a joint fire training facility, which is a major undertaking in terms of capital cost for any municipality. But this facility, like the transit system, will be shared by both municipalities at great savings, I think, to the local ratepayers.

That is just one of the many options that is currently being explored by both municipalities, so let us acknowledge today that the city of Waterloo has indeed come of age.

Interjection.

Mr Ferguson: My good friend behind me suggests that perhaps the sign should also say, "Kitchener-Waterloo and the Road to Zurich," and that might be taken under consideration.

Although, let's face it, this is not going to be the most important resolution debated in this Legislature in this session, it is important, I think, that the residents of Waterloo get the recognition they so richly deserve. In conclusion, I want to add that one must go through the city of Kitchener in order to arrive at the city of Waterloo.

Mrs Haslam: Unfortunately the member for Essex South is not here to see me smile, because I am very pleased to stand and take part in this debate.

I use the same roads to go home to Stratford as the gentleman and the lady use to go into their ridings and I counted the signs the last time I went home. There are five that say Waterloo on them. There is one that introduces the county of Waterloo and then the four signs that the member had mentioned going into Kitchener-Waterloo. At the same time, I counted the signs for Stratford, and there was one sign for Stratford with a little swan on it.

Mr Villeneuve: You need a bill, Karen. Bring in a bill.
1150

Mrs Haslam: That is exactly what I am going to talk to, the process that we are going through to get a sign on a road. I question the process that we are going through, because I agree with the member for S-D-G & East Grenville for all those little places that do not have signs.

I have smaller towns in my riding than Stratford and I do not agree with some people who told me that the only reason I had one Stratford sign was because it was little and insignificant. Stratford is not little and insignificant. It has a major tourist industry. When you talk of tourism, we only go through Kitchener-Waterloo to get to Stratford. That is where the tourists from Toronto are really going, into Stratford for the festival. I find it not too good that we only have one sign in Stratford and we have four for Kitchener-Waterloo.

But I do agree with the member for S-D-G & East Grenville about all those little places, because it just so happens that one of the little places in my riding, my secondary town—it would be called a little place when you consider towns like Toronto and Kitchener-Waterloo, but it is not a little place; it is an important place in my riding—is St Marys. St Marys has been trying to get some signage along its roads. They have written to Mr Brown, the traffic analysis supervisor, the traffic section, southwestern region, asking that signs be put up.

That is why I am talking about the process. I just want to say that if this works for Kitchener-Waterloo, perhaps that is what I need to do for places like Milverton and St Marys and Mitchell and Motherwell, which has five buildings. There are five buildings in Motherwell, two of which are garages and one is an antique store.

I am just talking about the process and what is going on. I do want to say that I am very pleased to hear the parliamentary assistant talking about the information that he has brought forward. I take this to heart, because perhaps I can have a remedy for my dilemma by having people write to the ministry and get some of the information involved to the ministry. Perhaps we are going to be getting some signs too.

So in that process I do say thank you, because it has certainly aroused a lot of people here. It certainly has brought forth a lot of discussion here. For those reasons I will be supporting the member for Waterloo North's private member's bill. I do wish her well, but I am going to be watching to see if an extra sign for Stratford goes up.

Mr Mills: With 40 seconds left, I do not know what I can say, except that the member for Bruce filled me with terminal depression. I am sure that he has gone for medical attention, because he is so downbeat.

I was in Waterloo on Monday, making a presentation on behalf of the Solicitor General for Drive and Survive. As we approached the highway the driver said, "Gord, we're going to Kitchener." I said, "Have faith." We went on, and we came to the Waterloo Regional Police department. So I support the member for Waterloo North. We have to know where we are going, we have to get there and we have to drive safely.

Mrs Witmer: It has been a privilege to have this opportunity to debate my first private member's bill this morning. I would like to express my sincere appreciation for the support that I have received from all corners of this House. I certainly look forward to their support on this bill.

ACCESS TO COURTS ACT, 1991

LOI DE 1991 SUR L'ACCÈS AUX TRIBUNAUX

The Deputy Speaker: We will deal first with ballot item 17 standing in the name of Mr Scott. If any members are opposed to a ballot vote on this item, will they please rise. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the "nays" have it.

Vote deferred.

Le vote est reporté

KITCHENER-WATERLOO

The Deputy Speaker: We will now deal with ballot item 18 standing in the name of Mrs Witmer.

Motion agreed to.

1200

ACCESS TO COURTS ACT, 1991

LOI DE 1991 SUR L'ACCÈS AUX TRIBUNAUX

The House divided on Mr Scott's motion for second reading of Bill 77, which was negatived on the following vote:

La motion de M. Scott pour la deuxième lecture du projet de loi 77, mise aux voix, est rejetée :

Ayes/Pour-9

Bradley, Callahan, Curling, Elston, Fawcett, McClelland, Offer, Ruprecht, Scott.

Nays/Contre-46

Abel, Arnott, Bisson, Carr, Cooper, Cunningham, Dadamo, Drainville, Ferguson, Fletcher, Frankford, Haeck, Hansen, Harnick, Harrington, Haslam, Hayes, Hope, Huget, Jackson, Jamison, Johnson, Jordan, Klopp, Kormos, Lessard, MacKinnon, Mammoliti, Mills, O'Connor, Owens, Perruzza, Runciman, Stockwell, Sutherland, Turnbull, Villeneuve, Ward, B., Ward, M., Waters, Wessenger, White, Wilson, G., Wilson, J., Wiseman, Witmer.

The House recessed at 1203.

AFTERNOON SITTING

The House resumed at 1330.

MEMBERS' STATEMENTS

DUPORT PROJECT

Mr Miclash: Right now, in my constituency of Kenora, the Consolidated Professor mining company is working on a gold mining proposal called the Duport project. The Duport project will have enormous economic impact on the area, particularly on Shoal Lake native bands 39 and 40, as well as on the trimunicipal areas of Kenora, Keewatin and Jaffray-Melick.

This project will create 175 permanent new jobs, pump \$53 million into the local economy during the mine's pre-production period, and a further \$14.3 million into the local economy on an annual basis. As well, it will help to diversify our local economy.

This project is a godsend for the people in an area that is facing over 70% unemployment. Recently, however, the process has come under pressure from governments in Ottawa and Manitoba. The people of my constituency cannot afford to let the Shoal Lake environmental assessment process be delayed or sidetracked in any way.

I am challenging the minister responsible for native affairs, the Minister of Northern Development and especially the Minister of Mines to stand up and be counted on this vital issue. On behalf of my constituents I beg the ministers not to give in to the political pressures of other jurisdictions and to the woeful southern bias of their own cabinet.

I would ask the ministers to shepherd this project through to completion and show the people of northern Ontario that they have the guts and the bearing to represent them in this House.

LAND REGISTRATION

Mr Jordan: The municipal officials in Almonte, Carleton Place, Lanark, Ramsay and Pakenham are in complete shock. In June 1990, a new land registry office was opened in the town of Almonte. The cost of the project was close to \$1 million. Now, less than one year later, this Almonte office is included in the 14 to be closed across this province. Six of the offices—Almonte, Alexandria, Prescott, Russell, Morrisburg and Ottawa—are in eastern Ontario. It is unbelievable that no consultation took place with municipalities regarding these closures. Were new studies done? If so, why were municipal officials not consulted?

This is a blatant example of dictatorial government. The need for a land registry office in Almonte was studied for three years prior to building the new building. Now, with the flick of a pen, this government closes its doors.

Major capital improvements will have to be made in these other facilities to accommodate the files, records and staff from the 14 closed offices. The Minister of Consumer and Commercial Relations must reconsider this action and sit down with the municipalities involved relative to service to the people and economic conditions in eastern Ontario.

PARLIAMENTARY PROCESS

Mr Silipo: This being Education Week, I wanted to focus my comments on acknowledging the many excellent things that are taking place within our school system and reflecting on some of the things that, of course, we would all agree need improvement.

However, in thinking a little bit more about my statement today, I feel compelled, given the antics of the Conservative Party in the last few days, to make a few comments about that. I, for one, do not question their right to use any kind of procedural tactics to delay the budget process as well as any others, but I do certainly question their wisdom in doing so.

I think other speakers have talked about, and other speakers will no doubt comment on, the effect that is having in terms of stalling legislation that would ensure the automatic collection of support payments, such as Bill 17, such as the stalling of the employment wage protection program and other legislation.

I also want to mention that in stalling, what the Conservative caucus is also doing and what the leader of the Conservative caucus is doing is preventing a committee like the select committee on Ontario in Confederation from meeting. I think in that particular area, there is also a concern I have as the Chair of that committee.

I ask the leader of the third party to reconsider his position with respect to the stalling tactics, because it seems to me that if he does not do that, the only thing he will ensure is that he remains the third party for a long time to come.

TORONTO REGION ISLAMIC CENTRE

Mr Ruprecht: Ontario is truly blessed by its many people who have come from all over the world to call Ontario home, and to not only make an economic contribution, but what is just as important, to maintain their spiritual values, traditions and history.

Today, I would like to inform the members of the Ontario Legislature that the Toronto and Region Islamic Congregation will be celebrating the official opening of the Toronto Region Islamic Centre on Saturday 11 May 1991 at the northeast quadrant of Highway 400 and Highway 401.

During the first few years after being formed, the organization concentrated on developing programs that would truly meet the needs of the community. It will make a special effort to attract the youth of the Islamic centre, where they will be exposed to Islamic ideas of peace, morality, justice and human dignity.

These are the kinds of values which we as Canadians share and that is why I would like all members of this Legislature to extend heartiest congratulations to the Toronto Region Islamic Centre.

AUTOMOBILE INSURANCE

Mr Runciman: I rise to bring to the attention of the House that another 700 Ontario residents have taken the time to mail coupons stating their support for the right to

sue for auto accident victims. I will send these coupons to the desk of the Premier. This will bring the total number of coupons to almost 2,000, and that is in response to a one-day newspaper ad.

It appears that the government may be experiencing a change of heart concerning the right to sue, given this week's visit of Ralph Nader to the NDP caucus. Last year, Mr Nader appeared before this Legislature's standing committee on general government to explain why the right to sue is so important. Mr Nader stated:

"The right to sue works. It generates deterrence, it generates disclosure into the public arena of a great deal of information often covered up by corporations relating to the damage that their products have done to innocent people, and it elevates the ethical responsibility between perpetrator and victim. The tort system recognizes that human beings incur pain and suffering and have a right to proper compensation, and that is what humanizes the law."

It is our hope that these words from Mr Nader were not only reiterated during his discussion with the government caucus this week, but also that his comments will be reflected in the government's upcoming auto insurance legislation.

The right to sue is a fundamental right, and the Premier has an obligation to keep his promise to voters that he would restore the right to sue if he became Premier. He is and he can.

TAXATION

Mr Morrow: During the last provincial election, the leader of the third party had two buses named Taxfighter 1 and Taxfighter 2. I find it ironic that this self-styled taxfighter has been wasting taxpayers' money with his recent antics during the debate on the budget.

It is especially ironic coming from a member of the Progressive Conservative Party whose federal cohorts introduced the regressive goods and services tax. I would also remind him that his federal party is directly responsible for a major portion of the province's deficit by cutting back transfer payments to the provinces under the Canada assistance plan.

The federal government's policy of high interest rates, Mulroney's trade deal and—

Mr Jackson: Hey, how is Red Hill Creek coming?

The Speaker: To the member for Oakville South—

Mr Jackson: Not Oakville South, Burlington South.

The Speaker: To the member for Burlington South, his co-operation would be greatly appreciated by the Chair. And to the member for Etobicoke West, yes, we all realize that while interjections are out of order, when they are out of order, they must be from your natural place.

Mr Morrow: The federal government's policy of high interest rates, Mulroney's trade deal and Wilson's policy of taking from the poor and giving to the rich have had a direct effect in the recession that we are faced with today. Perhaps this self-styled taxfighter should run federally and take his campaign against his own party. If he waits until the next federal election it will be too late, as he will see a

New Democratic Party rescind the goods and services tax and the Canada-US free trade deal.

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ENVIRONMENTAL EDUCATION

Mrs Fawcett: It is with a great deal of indignation and regret that I rise today.

On Tuesday of this week, in one foul swoop, without any notice, without any consultation, without any thought of the ramifications this would have, the Minister of Consumer and Commercial Relations stood on her soapbox and so righteously announced the closure of two registry offices in my riding of Northumberland.

This is after repeated assurances from the previous governments to maintain the offices, and indeed as late as 4 March 1991 from the director of the real property registration branch of her ministry, and I quote: "I hope that you will bear with us and accept my assurance that as soon as we have something to discuss, the staff, the clients and the community will be involved." Instead of discussing, she arbitrarily closed the Colborne and Port Hope registry offices.

Well, we do have something to discuss. I would suggest that this discussion will revolve around the loss of service to the community, the inability of an individual to work effectively in rural Ontario and the adverse effects that this will have on the consumer.

I would suggest that the minister would want to discuss this. In fact, I demand that she do so with all those affected in my riding and either justify this unwarranted decision or reverse it.

I am sure you will be aware, Mr Speaker, of something that you said as a candidate that this party would do. It is called "consult," remember?

TOURISM INDUSTRY

Mr J. Wilson: My statement today is directed to the Minister of Tourism and Recreation. On 2 May, in response to a question from the member for Quinte, the minister, referring to comments made by Tourism Ontario Inc, said, "They told me that for the first time an attack was made on the budget but not on the minister." Tourism Ontario assures me it made no such remark and that it has never made a public attack on any Ontario tourism minister.

Again, quoting from the 2 May response from the minister, the minister outlined the efforts made by his government to assist the tourism industry within the tabled budget. He said, "I can tell the member across the floor that they"—tourist operators—"were very pleased that there was no increase in workers' compensation, that there was no tax as a result of the wage protection fund and that there was no increase in the employer health tax."

In order to set the record straight, Workers' Compensation Board assessments are carried out in July, and there may be an increase which will occur in January. The minister should know that workers' compensation assessments are not normally budgetary issues. Second, in its pre-budget submission, Tourism Ontario Inc called for a lowering of the employer health tax rate for tourism operators. It did not want the status quo maintained.

The bottom line is that the government's budget does nothing but further injury to Ontario's embattled tourism industry. The minister should get his facts straight and start finding ways to assist the tourism industry. It is time that he began to reconcile his words with action if indeed tourism is more than just a hobby for his government.

ENVIRONMENTAL EDUCATION

Mr Wiseman: I rise today to congratulate the Durham Region Roman Catholic Separate School Board and Helen Murray's class at St Monica Catholic School in Pickering.

Recently, I was invited to her class to receive a mural painted by the children. The theme of this mural was conservation and the protection of the environment; in particular, the environment close to their school. They depicted the trees of the Rouge River Valley, the Altona forest and the shores of Frenchman's Bay and other areas endangered by man's urban sprawl.

Some would think that this knowledge of what has happened in the past would have made these young people in grade 2 pessimistic. On the contrary, the fine work of Helen Murray and the other fine teachers at St Monica's has been able to teach these young people how to take ownership of the problems facing the environment in their own small way. When questioned about what they could do, they had many creative answers and solutions they are already doing—composting, water conservation, planting trees, bringing garbageless lunches to school, to name only a few. Their enthusiasm was created by their teachers.

In closing, I would like to thank the students and staff of St Monica's for inviting me. I would like to add that Helen Murray has done an outstanding job creating enthusiasm and interest in her students for the environment. Our education system is enriched by her presence and that of others like her.

I congratulate her and the Durham Region Roman Catholic Separate School Board in their efforts to promote environmental awareness.

FINANCIAL PROCEDURES

The Speaker: On Monday 29 April the member for Etobicoke West introduced a bill entitled An Act respecting Government Expenditures.

It has been brought to my attention that section 1 of this bill specifically directs the allocation of public funds. I must therefore rule that the bill is in contravention of section 54 of our standing orders and can only be proposed by a minister of the crown supported by a message from His Honour the Lieutenant Governor. The bill is therefore out of order and must be omitted from Orders and Notices.

I would also like to advise members that on Wednesday 1 May the honourable leader of the third party introduced the following bills: An Act to amend the Development Charges Act for the Airy & Sabine District School Area Board; An Act to amend the Development Charges Act for the Asquith-Garvey District School Area Board; An Act to amend the Development Charges Act for the Atikokan Board of Education; and An Act to amend the Development Charges Act for the Atikokan Roman Catholic Separate School Board.

I must advise all honourable members that section 1 of these bills appears to be incomplete and so they contravene section 37(d) of our standing orders in that they are in improper form. I must therefore rule that these bills are also out of order and must be omitted from the order paper.

VISITORS

Hon Mr Wildman: As minister responsible for native affairs I would like the members of the House today to join with me in recognizing our guests in the members' gallery. We have representatives of native organizations. The chiefs of Ontario are deeply interested in our government's policies and initiatives.

STATEMENTS BY THE MINISTRY

NATIVE PROGRAMS

Hon Mr Wildman: When the Treasurer delivered the Ontario budget on 29 April he told the Legislature, "In this budget, we are putting in place the foundation of a new economic strategy, a strategy which has sustainable prosperity as its central goal and fairness as its guiding principle."

It is with great pleasure that I rise today to tell this Legislature how our native affairs commitments will be part of that strategy.

Members will be aware that the budget contained more than \$48 million to move towards greater equity for aboriginal people in Ontario. Today I want to give the House some details of that allocation.

This government has committed itself to a number of objectives over the past months, including the settlement of land claims, the negotiation of aboriginal self-government agreements and the improvement of the quality of life in aboriginal communities.

These commitments flow from the underlying principle of Ontario's native affairs policy, that aboriginal people have an inherent right to be self-governing. That right is based on their occupation of the land in self-governing societies for many centuries before non-aboriginal settlers arrived on this continent.

This government believes that all our citizens must share in the benefits of economic growth and social progress. As I have said on many other occasions, every minister of the cabinet in the government of Ontario is a minister of native affairs.

To that end, my colleagues the Minister of Colleges and Universities, the Minister of Citizenship and the Minister of Education will be following me with statements on native affairs aspects of their budget allocations.

As members will know, the budget specifically referred to \$20 million to improve conditions in those aboriginal communities. The parameters of the aboriginal community infrastructure capital fund are still being developed, but our first priority this year will be the six Nishnawbe-Aski nation bands in northern Ontario that have been promised reserve status by the government of Canada.

The assistance to those communities, of course, flows from Ontario's commitment to contribute to the costs of establishing the reserve communities and to provide a land base for the communities of McDowell Lake, Aroland, the New Saugeen nation, Wawakapewin, Kee-Way-Win and

New Slate Falls. We are prepared to meet that obligation from the fund and then to rapidly move on to address pressing needs of other aboriginal communities.

As part of the package for the six NAN communities, we expect there will be a speedy conclusion to negotiations on the size of the land bases required by each of the six communities.

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The budget also allocates \$15 million to establish a fund for land claims and self-government negotiations, consultations and settlements. This fund provides for greater fairness as aboriginal negotiators prepare to meet the government representatives at the negotiating table, and it will allow us to begin to settle land claims in Ontario. There will be consultation with first nations and aboriginal organizations on exactly how this money will be spent.

The budget also contains a \$1.5-million allocation by the Ministry of Natural Resources for forest fire protection for aboriginal communities in the remote north. Human lives are the first priority of this province in its forest firefighting. Often when we are dealing with remote northern communities there is no recourse but to evacuate the communities when major fires or smoke pose a risk to life and health.

The Ministry of Natural Resources, however, is prepared to make a commitment to improve safety for aboriginal communities through measures such as training local residents in forest firefighting techniques. This program is being developed with the Nishnawbe-Aski nation and a working group is also being formed to report on long-term requirements for forest fire management. The province is prepared to commit \$1.5 million to this program, as I said.

Currently, MNR provides forest fire protection on reserves and recovers its costs through an agreement with the federal government. Therefore, our program, to be fully effective, requires a matching commitment from the federal government.

More will be heard about the native affairs commitments of this government from my colleagues. Their programs will address vital issues in improving the quality of life for aboriginal people in Ontario. I believe that all members of the Legislature will agree that we are at the beginning of the most significant era in native affairs in the history of the province of Ontario.

NATIVE POST-SECONDARY EDUCATION

Hon Mr Allen: All of us realize how difficult it is for people to fulfil their potential in today's society without an education. Yet for many groups in Ontario there exist subtle and not-so-subtle barriers that prohibit access to all the benefits that education has to offer. This statement especially holds true when we consider Ontario's native peoples.

In this government's first throne speech and its first budget we made a commitment to improving the quality of life of aboriginal peoples in Ontario. Our government believes that there is a real connection between our social infrastructure and our economy. Our social programs help give people the confidence to meet the challenge of economic change and to participate fully in the economy.

Today I am very pleased to announce the details of a strategy that will help fulfil this promise. It is a strategy that is aimed at removing the barriers built into post-secondary education that tend to limit the education and training achievements of native people.

The strategy and initiatives I am announcing are the result of discussions and collaboration between officials of the Ministry of Colleges and Universities, representatives of provincial native organizations, and representatives of our colleges and universities.

The development, implementation and evaluation of this strategy are based on a partnership relationship between my ministry, native organizations and our post-secondary institutions. Through the native post-secondary education and training strategy we will attempt to achieve the following goals:

First, to increase the participation and completion rates of native people in college and university programs;

Second, to work in collaboration with our post-secondary institutions to increase the sensitivity of those institutions to native culture and issues; and

Third, to increase the extent and participation of native people in decisions affecting native post-secondary education.

In addition, we will be looking at ways to reduce barriers that restrict native access to post-secondary institutions, including activities relating to admissions and access programs.

We also will be encouraging our post-secondary institutions to work in partnership with native communities to increase their role in decision-making, program development and developing admissions criteria. We will provide native organizations with funding to cover the costs associated with their involvement in implementation of this strategy.

This year the province will provide \$3.1 million to fund these initiatives. This funding will be used to establish the following: a native support services core fund to increase the number of native counsellors employed by post-secondary institutions; a special projects fund to support the development of native college and university curricula which reflect the cultural, social and economic needs of native people, and funding from this program will also be used to facilitate joint college and university initiatives in the area of native programming; a supplementary grant fund to provide colleges and universities with additional funding for each full-time student enrolled in a designated native program, and this grant will help offset the incremental costs associated with developing and delivering native programs and is in addition to the regular operating grant.

To assist the ministry in reviewing and recommending programs and proposals for funding under the new strategy, a proposal selection committee will be established. That committee will include representatives of my ministry, Ontario native organizations, the Council of Regents, the Ontario Council on University Affairs as well as Ontario's colleges and universities.

In order to ensure that there is ongoing native community involvement with regard to post-secondary matters,

we will establish, by order in council, a Native Education Council.

This council will advise me on all aspects of native post-secondary education, including native programs, services and policies. The council will also work with the ministry on the implementation and evaluation of this native post-secondary education and training strategy. The council will be able to provide specific advice on the issue of native control of native education.

The council will be comprised of representatives from native organizations involved in the development of this strategy. Further details relating to the membership of both the council and the committee will be announced in upcoming weeks.

If we are to enhance and expand the opportunities to achieve sustainable prosperity in the years to come, then our job quite simply is to ensure that all the people of Ontario have the same chance to succeed.

Today's announcement is an example of how partnerships between this government, native organizations and our post-secondary institutions can work to remove both real and perceived barriers to educational opportunity for native peoples in Ontario.

NATIVE ECONOMIC DEVELOPMENT

Hon Ms Ziemba: As my colleague the Treasurer put forward in his budget, there are a number of initiatives for the development of programs to advance social and economic equity for aboriginal peoples.

In keeping with this government's commitment to negotiate aboriginal self-government, the Ministry of Citizenship will work together with the native communities to develop two programs: a native internship program, which will receive \$700,000, and a program for small businesses, which will receive \$1.5 million—a total of \$2.3 million in funding.

My colleague the Minister of Colleges and Universities has just outlined for members the consultative process they have used in developing their programs in the Ministry of Colleges and Universities. We are engaged in that same process, one which arises from the native community's own definition of its needs, as we develop these two initiatives. The guidelines and criteria for the two initiatives will be developed in full participation with native organizations.

My ministry's two economic initiatives will be designed to ensure access and greater economic and social equity in business opportunities, jobs and in training with a particular focus on identifying opportunities for native women and young people.

The guiding purpose of these two programs is to expand the potential for individuals to explore economic opportunities. We intend to achieve this by backing small business efforts and by enhancing the skills, training and career opportunities for native communities and with native communities. We will begin to lay the groundwork for these initiatives, together with native organizations, within the month.

I am pleased that the ministry is undertaking these economic development programs, which will have both short-term and long-term benefits. They will provide needed

support for the key objective of aboriginal peoples, which is to progress steadily towards self-government. That is an objective which this government fully supports.

1400

NATIVE EDUCATION

Hon Mrs Boyd: I am pleased to announce new funding of \$1.15 million this fiscal year for demonstration projects in aboriginal education. Not only will these projects lead to a healthier society and a stronger economy but they also will increase the participation of aboriginal people in the education of their children.

The projects have two key objectives. First, they will improve the quality of education for aboriginal children. Second, they will strengthen aboriginal participation in self-government. The demonstration projects will address the needs of both on-reserve and off-reserve aboriginal people.

Through the ongoing tripartite negotiations between first nations, Canada and Ontario, funds will also be available to participating first nations organizations for the development of organizational models. These models may prove useful to other aboriginal communities.

My ministry is currently drafting criteria for the funding of these demonstration projects. These criteria, the priorities for funding and the management of these projects will be the subject of consultation with aboriginal people.

Projects might examine such issues as increasing student retention rates, addressing the unique needs of northern students, developing partnerships between aboriginal communities and school boards and developing culturally appropriate programs.

It is my hope that these projects will help pave the way for more meaningful and more successful educational experiences in aboriginal communities.

RESPONSES

NATIVE PROGRAMS

Mr Scott: When the aboriginal constitutional renewal round collapsed in 1986 because of essentially the failure of the government of Quebec to participate in those negotiations for aboriginal self-government and the resistance of three provinces to support aboriginal self-government, the government of Ontario—like, by the way, the NDP government of Manitoba—came back to our home base and decided that in the event of constitutional renewal failure, we would begin the process of trying to develop a series of experiments on a local basis in education, health care, the justice system and so on which would give aboriginal people and the rest of us an experience in self-government on a local basis from which we could build to provincial or national models.

I had, as the present minister knows, some experience in designing that program and was delighted to see a number of projects initiated. For our party, I want to say that I am very pleased that the present government has continued that thrust and has expanded it by the allocation of the money described today. It is, I believe, at the end of the day in the constitutional impasse in which we find ourselves, the one principal way in which self-government

advances can be made for aboriginal people, a matter that we all share.

But we tend to make these announcements in the House, and the responses, in a kind of bell-jar, as if we do not have contact with the world beyond this chamber. I know the present member, who is seriously tuned into these issues, as I believe I was, will understand that there are at least two other issues that require to be addressed and without which these announcements today will not be worth the paper they are written on by either him or me.

The first issue is the progress in land claim negotiations. Without progress in land claim negotiations, some of which has been made under the previous government and some under the new government, all this will be empty rhetoric because the economic levers that native people need for self-determination will be lacking. The second area, allied to the first, is the area of resource negotiation. If the government of Ontario is not able to proceed on a concrete basis in respect of resource self-government negotiations for native people, this again today will be a series of empty rhetorical announcements.

God knows I know the difficulties, but I encourage the minister to begin, for example, the fishing negotiations in northwestern Ontario, to proceed expeditiously with the Temagami resource management negotiations which were launched by the previous government, and to undertake a series of negotiations which lie at the very heart of the aboriginal self-government issue. These negotiations will be very difficult because many people in Ontario do not understand their complexity or their reach for the rest of us, and it will be a challenging exercise for the minister to undertake them.

We in this party support the announcements today, mindful only, as we seek for a moment to get away from our bell-jar atmosphere, of the realities that will require significant progress to be made in land claim negotiations and in resource management negotiations over the next four or five years.

Mr Harnick: I note that at the conclusion of the statement of the minister responsible for native affairs he says that we are beginning "the most significant era in native affairs issues in the history of the province of Ontario," and I merely state to him that I thought that era began eight months ago when we saw the native land claim of the Manitoulin reserves completed, the work of the previous government.

Hon Mr Wildman: I paid tribute to them at that time.

Mr Harnick: Absolutely. The minister says he paid tribute, and I agree, but we have not seen any concrete action since that time. We have not seen anything dealing with any further advances that have been made public to this House. We have extension of hunting and fishing rights at the expense of the environment, but we have not seen any concrete proposals. It is time the minister started to keep the myriad of promises he has been making as he travels across this province, and I hope that he does keep those promises.

It is notable that this is the first time this government has funded post-secondary education, and I hope that there

will be success in increasing participation and completion rates in post-secondary education.

I note that the Minister of Education did not mention anything about the need for more native teachers or any programs dealing with more native teachers being qualified in our schools at all levels. I also note that there was nothing in the Minister of Education's statement dealing with dropout rates, and I think those are issues that surely have to be addressed.

I am supportive of the initiatives that the government has announced today and I hope that good success is made in proceeding with them.

Mr Cousens: There but for the grace of God goes Ontario. Last year Quebec had Oka, and Ontario could have its own Oka if we do not take very serious action to do our best for native land claims and negotiations, for resource negotiations.

What we are seeing here are examples of where a government is trying to be exclusive. I see deep, serious problems, as does our party, for our native peoples, and what the government is trying to do is break down history into small areas that it thinks it can handle, when in fact all the native communities need help. It is not just young people and women; the whole native community needs to be addressed in a serious way. I am just keeping my fingers crossed that this government is not screwing up as badly as I think it is.

NATIVE EDUCATION

Mr Jackson: I would like to respond to the statements by the Minister of Colleges and Universities and the Minister of Education. I have had occasion to work closely with the Minister of Colleges and Universities on the select committee on education and the standing committee on social development, and with his former colleague, Richard Johnston, and we have attended and been presided over by various native groups and their presentations.

What concerns me is that these announcements fall very far from the most appropriate mark that those native leaders were telling us, that in this province the largest identified group of children involved with substance and alcohol abuse, victims of child abuse and highest suicide rates are native children, and in fact we have heard that children's services for natives are truly not native children's services in this province. Why? Because we refuse to accept the responsibility that they have language rights in this province, that there are at least three indigenous native languages that are at risk of disappearing off the face of this earth. The Minister of Education has 10-fold the number of dollars she announced today for third-language instruction in this province, but we would allow their native language to disappear.

How can we expect those children to preserve their culture, to understand how they are to interact in society, if they are not provided with teachers who speak their language? That is why the government of Manitoba, when it conducted its commission of inquiry, came to the conclusions that native children should not start their day with a two-and-a-half-hour bus ride to get an education, should not be removed from their families, off-reserve education,

and they should have native, indigenous children's mental health services. Let's get some announcements from—

Interjections.

The Speaker: Now that we are relaxed and we have focused our attention on question period, we may start with oral questions.

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ORAL QUESTIONS

AUTOMOBILE INSURANCE

Mr Nixon: I have a question of the Treasurer. Since his party has promised a state-run automobile insurance scheme and there have been further commitments that legislation would be introduced in the next few weeks, can the Treasurer indicate how this program is going to be financed as it receives approval, as it may very well in this House? How is it going to be financed during the time when it is going to be developed and offering its service during this particular fiscal year, since it does not occur in his budget nor in the estimates that have been presented?

Hon Mr Laughren: There has been no date set at which point the legislation, first of all, will be introduced. When the legislation is introduced there will be more details forthcoming, but I have nothing I can add to that at this time.

Mr Nixon: I think, however, it is incumbent on the Treasurer to indicate that since he must provide the funds for the development of the structure of this, which has been promised and which he indicates is going to be before the House in the near future, the taxpayers certainly, if not the people who are driving automobiles, should be provided with the information as to whether basically they can look for increased rates, which I would doubt, since that commitment was made otherwise, or perhaps increased administrative costs that would be put on tax increases or, God forbid, on increases in the deficit. What alternatives are there?

Hon Mr Laughren: There is no question that when the public auto insurance program is introduced there will be startup costs. There is absolutely no question about that. But as I stand in my place today, I cannot provide the Leader of the Opposition with any further details. We have not made any determinations in that regard.

Mr Nixon: I regret that the Treasurer cannot provide any information, because the startup costs will be incurred during this fiscal year. If, as Ralph Nader has urged the NDP caucus, it goes for a British Columbia program, the startup costs will be clearly \$1 billion. If, on the other hand, they go for something that would be completely in contradiction to their promise—that is, a pure no-fault similar to that which is presently in place in Quebec—the startup costs would be much lower, only \$300 million, but that will have to be paid during this fiscal year, assuming that the logjam in the Legislature is disposed of and we get down to business again.

Since the minimum additional costs will be \$300 million and very possibly far more than that, can the Treasurer indicate whether he would recommend doing this by raising premiums? Surely not. Raising taxes? Surely not.

Increasing the deficit? Surely not. So how is he going to do it?

Hon Mr Laughren: All I can say to the Leader of the Opposition is that the very points he makes in his question are some of the considerations that will go into determining exactly what we bring before this Legislature. I know the leader of the official opposition would want to wait till that time to see exactly how the plan unfolds.

Mr Nixon: I have a feeling the Treasurer does not know the answer. It is not a case of not wanting to give it.

SCHOOL CURRICULUM

Mr Nixon: I want to direct a question to the Minister of Education. As I listened to the voice of Keith Spicer, the national unity commissioner, being interviewed on radio about his meetings in Toronto yesterday, there were two things that struck me. He said, "Ignorance is killing the country"—that is his direct quote—and, "The teaching of history is appalling."

Mr Speaker, though I direct the question to the minister through you, as a former history teacher you would agree with me that it is not so much the teaching of history that is so appalling, but the direction of the curriculum in the provision of history instruction that is appalling.

The minister may very well remember the few brief years ago when she was taking formal history—let's say, in elementary and secondary school—when the emphasis was on the five different trips of Champlain as he criss-crossed central Ontario. We missed the point entirely, in the development of our nation before and since Confederation, of the examples of co-operation among cultures, and particularly among religions and languages, that we need today in these times when there is such a dramatic lack of that understanding.

Will the minister give some indication to the House that she will ask her curriculum consultants to provide a program, not necessarily to provide revisionist history as to where socialism came from and where it is going, although I have the answer to that, but rather to use the lessons of history in a factual and appropriate way so that the lessons, particularly for our young people, can contribute to national unity rather than otherwise.

Hon Mrs Boyd: The Leader of the Opposition's speech today, followed finally by a question, reminded me of his speech in response to the constitutional debate. He loves history and so do I. I also studied it at university, so it is a very particular favourite of mine.

I agree with him that indeed we need to make some changes in the curriculum around history and social studies and the whole way in which our country developed, including civic responsibility. It is exactly this that is going on during the curriculum review that is happening right now. The responses we have had from teachers, trustees and parents indicate that many people in the province agree with the Leader of the Opposition and that we will see some changes resulting from that curriculum review which will strengthen our curriculum in this area.

Mr Nixon: I thank the minister for most of her response, but rather than just wait for the views that may

come from the community, would the minister not consider taking a special overt initiative in this regard, bearing in mind that neither the Ontario Teachers' Federation nor any of the concomitant organizations prepared a brief, as far as I know, nor did they appear before the standing committee of the Legislature. So the profession itself does not appear to have any particular interest—and I do not want to downgrade that, but as an organization—sufficient to provide its views.

Would the minister not agree that she must take the leadership in this regard and move towards a special project: the improvement of the curriculum, as well as the teaching of history, to achieve the goals that I have tried to put before her?

Hon Mrs Boyd: Our commitment to carrying on the consultative process around curriculum review, which was begun by the previous government, has been made quite clear in the past. It would not be appropriate for me to use my position to put forward my view. This is an education system that needs to win the consensus of all Ontarians, and that is exactly what the process is designed to do. I do not think it would be appropriate for me as an individual to intervene in any curricular matter until all the evidence is in.

The Leader of the Opposition is quite wrong when he suggests that teachers are not interested in this area. I personally, in terms of my correspondence, have had many representations from teachers who are very concerned about this area, and so has the Learning Programs Advisory Council.

1420

Mr Nixon: It would certainly worry me personally if I were to lose any teacher friends—I understand that—but on the other hand I do not want the minister, in her condescending excellence, to give anyone who might watch her or read her any misapprehension. I said their professional organizations did not appear before the committee, and if she knows that to be wrong, perhaps she could tell the House that is so.

I would like to say that we have perhaps an additional responsibility on an ongoing basis to assist our young people in becoming familiar not just with the geography but with the people in Canada. While I am very strongly in favour of providing assistance for individuals and classes and sports teams to travel, perhaps to Europe or other places, it seems to me that this Legislature ought to fund and, if necessary, direct the Ministry of Education to provide a structure whereby young people will be travelling not just to Quebec but to other provinces on a planned and plannable basis. A good deal of this is happening, but not as much as happened in the past. I believe—and I would ask the minister if she would undertake a study of this—that this sort of approach would provide tremendous benefits in our search for national unity and national strength.

Hon Mrs Boyd: I find it interesting that the Leader of the Opposition feels this would be an appropriate priority at a time when our taxpayers in Ontario are crying out about the cost of education and we are in a time of recession. I certainly believe that travel broadens the mind and

assists people to learn more about their world, but we are in a situation right now where we have many calls upon our purse in the Education ministry.

It was with great difficulty that we managed to protect the northern travel plan against the cuts in the budget. I think the Leader of the Opposition, as the former Treasurer of this province, understands exactly how difficult it is to plan and to fund this kind of program so that it is equitable across the province.

TAXATION

Mr Harris: I have a question for the Treasurer. Yesterday was Tax Freedom Day in the United States. That is the day calculated when Americans have finished paying their portion of income in all taxes and can keep the rest of the money to reinvest or to buy things.

Yesterday was Tax Freedom Day in the United States. Last year, Ontario taxpayers did not reach Tax Freedom Day until 5 July. That is almost two months later than the border communities in the United States; far later than any other province in Canada, I might add. In fact, including government debts, Ontario's Tax Freedom Day last year was actually 28 July.

We can blame all of this on the Liberals. I understand that. However, in view of the Treasurer's new tax increases this year, in view of his massive \$10-billion debt this year, could he tell the businesses in our border communities and the taxpayers all across Ontario how much later Tax Freedom Day will be in Ontario as a result of his budget?

Hon Mr Laughren: I am not surprised that the leader of the third party is using south of the border as his benchmark.

Interjections.

Hon Mr Laughren: Joseph McCarthy has always bored me.

The Speaker: Are we all relaxed now? We are not going to get so excited as to interrupt the member who is trying to respond.

Hon Mr Laughren: If the leader of the third party thinks that this government is going to hitch its wagon to the star of a nation which has 37 million of its people without any medicare coverage whatsoever, he is sadly mistaken.

I know what is bothering the leader of the third party. I know as well that he does not like the budget that was brought down here a couple of weeks ago. He does not like it at all. What I do not understand is why he is afraid to stand in his place in the order of business around here. He is the next speaker in the budget debate and he will not get up and debate the budget. What is he afraid of?

Mr Harris: The mayors of the border communities will be pleased to know that the Treasurer is not concerned at all about the difference in tax levels between Ontario and the United States.

On 26 April, in the Sudbury Star, the Treasurer said that he had listened to over 100 interest groups outline their priorities with regard to the budget. I would like to quote a few of those who participated in his so-called pre-budget consultation. The Canadian Federation of Independent Business said to the Treasurer, "No new taxes or tax

increases." The Ontario Real Estate Association said, "The Treasurer should announce no new corporate or new personal income tax increases." The Canadian Manufacturers' Association said, "No introduction of new taxes or tax increases." In fact, I cannot find a submission from any group that called for a \$53-billion budget, a 13.5% increase in spending or a \$10-billion deficit bill for the taxpayer. I wonder if the Treasurer could tell us why he ignored the groups that came before him for the prebudget consultation.

Hon Mr Laughren: I appreciate the leader of the third party's selective list of people who appeared before me in the prebudget consultation process because I can tell him that for every group that said, "We don't want any more taxes," or, "We don't want an increase in the deficit," there were probably 10 that said they wanted an increase in programs or an increase in subsidies.

The leader of the third party does not seem to understand a very fundamental fact. There was an increase in the deficit, from \$3 billion to \$9.7 billion. That is a very substantial increase in the deficit. It was a very difficult decision to make to do that, but we decided that in the depths of the worst recession in this province in 50 years we would rather increase the deficit than gut programs in health care, in education and in social services because, believe me, that was the alternative.

Mr Harris: All these groups that made presentations did so to give the Treasurer advice on how we could possibly survive in business and save Ontario jobs. The Ontario Home Builders' Association said, "The province should maintain a strong commitment to deficit control to save Ontario jobs." The Ontario Trucking Association said that, to save its Ontario jobs, a carbon fuels tax on commercial diesel fuel should not be adopted. The Ontario Natural Gas Association said, "Ontario simply cannot afford the budget expenditure path that it is on, if you want to save Ontario jobs."

The Treasurer did not listen to one of those groups that came before him to tell him how to save Ontario jobs. He said in the Sudbury Star, "As a government, we are committed to consultation." These are his lines. "During our first term in office, we hope to open lines of communications with all Ontarians so that consultation is not something that happens only once a year in the Treasurer's office."

Would the Treasurer not agree with me that to live up to that commitment he made in the Sudbury Star, when he brings in a budget setting out a fiscal plan 180 degrees in the opposite direction that all these groups told him he needed to save Ontario jobs, when he brings out a fiscal plan for four years of massive spending in each one of those years, he ought to consult with the people and allow them to come before the standing committee on finance and economic affairs with full hearings on this budget direction?

Hon Mr Laughren: I am not sure whether the leader of the third party is talking about the budget that has already been tabled or next year's budget. I am not sure what he is talking about.

In the budget document itself I indicated—and I have already written a letter to the Chair of the standing committee on finance and economic affairs to advise me on ways in which we could open up the budget process so that more people could be involved in it. I do believe that there is a better way to do it.

I would also remind members that not only did I have a large number of contingents, interest groups, in to see me, but also the standing committee had a large number of presentations made to it. If the member opposite thinks I did not listen to them, then he has not read the budget, because I indicated in the budget exactly where I did listen to the standing committee and take its advice.

Finally, I would conclude by simply saying that when the leader of the third party talks about the need to protect jobs in this province, it wears a bit thin on this side, given the fact that his federal counterpart cut \$100 million out of the Canadian Jobs Strategy.

1430

TVONTARIO

Mrs Marland: What wears a bit thin on this side of the House is that all we hear is the dumping on the federal Conservatives.

My question is to the Minister of Culture and Communications. The minister will remember that earlier this week I raised two examples with him of the questionable use of taxpayers' dollars by TVOntario. I questioned the \$2 million that was being spent on renovating a building which it is going to vacate by 1994, with such luxuries as nine televisions in a row in the chairman's office. Also, I mentioned the \$125,000 that was spent on a publication that cost \$25 a copy that was given away to 5,000 people free of charge.

Since then, another disturbing matter has come to my attention. A historical analysis of TVOntario's expenditures shows that over the two fiscal years 1988-89 and 1990-91, the operating budget in the chairman's office increased by 58%, from \$597,000 to \$944,000. Imagine spending almost \$1 million of TVOntario's operating funds just on the chairman's office.

The Speaker: And the interrogative part?

Mrs Marland: My question to the minister is, does he think this is a reasonable use of taxpayers' money?

Hon Mr Marchese: Speaking to the operating part of the budget of TVO, it gets \$63 million, which is a 4% increase over last year. They get other funds in from different sources.

In relation to what is happening in the chairman's office, it is difficult for me to comment on the specifics of that. I am quite willing to get the information that she is asking for and I will get back to her.

Mrs Marland: The decision-making starts at the top, and it is two days since I mentioned those two examples to this minister.

During the 1989-90 fiscal year, operating expenditures by the chairman's office rose by 30.8%. When we look at the whole executive category of TVOntario's budget, the year-over-year increase was even greater, 44.4%, for just one year. In that same year, expenditures for programming

rose by 9.6%. That is quite a comparison, a 44% increase for TVOntario's executives versus 9.6% for programming. Yet the chairman of TVOntario had the gall to say last night during a TVOntario pledge break, "We are the most vigilant operators in the existence of our city."

TVOntario's mandate is to provide educational broadcasting services.

The Speaker: And the question, please?

Mrs Marland: This is my question. It is not to provide luxury accommodation, sky-high salaries and executive benefits to its executive. I ask this minister, in light of the information that he has for this important public service to the people of Ontario, which we support, will this minister admit to this House that there has been serious mismanagement at TVOntario and outline what steps he will take to ensure that it does not happen again?

Hon Mr Marchese: I take seriously all the issues concerning this agency, as indeed all the 13 agencies that are connected to me, which include financial management, taxes and representation. But in relation to the budget, TVOntario is now receiving from us \$63 million, which includes a 4% increase. Last year they got a 3% increase. They also get special capital dollars, including special project dollars from different ministries as they relate to AIDS education, as they relate to drugs education, which may reflect some of the increase that the member is speaking to.

In relation to issues of management, I would like to ask the member to remember that it takes some time to be able to get information that people need. I am taking the appropriate steps, reasonable steps, to make sure that when issues are raised about certain allegations, they are dealt with properly. I have done that and am doing that. As soon as we have the information, I will provide that to the member.

Mrs Marland: The minister is missing the entire point. It is not how much money we give them or how much money they solicit from the public in their fund-raising, it is how it is spent. I am telling the minister that the increase in the executive offices was 44.5%.

The Speaker: And your supplementary?

Mrs Marland: My supplementary is this. The increase in the executive offices is 44% and the increase in programming is 9.6%. I want to say that we are disappointed that this minister is hesitant to agree with the concerns we have, and I would like to bring to his attention some other comments that the chairman for TVOntario made last night during the pledge break. The chairman said: "We are constantly examining and re-examining our expenses. We look more carefully at our budget than, I would suggest, any other agency or piece of government anywhere."

The Speaker: A question, please.

Mrs Marland: Considering what has already come to light about TVOntario, that is a pretty scary thought.

The Speaker: Place a question, please.

Mrs Marland: But the most ridiculous statement of all was this, and I quote—

The Speaker: No. Will the member take her seat, please. Could we stop the clock for a moment? I need a little bit of help here. The members asked me quite rightfully earlier on that we find a speedier way to handle all of the questions and responses so that we could accommodate more members in question period. In order to do that, it is very helpful if members will succinctly place their questions and, of course, succinctly have their responses. I think as we move through question period, if members would attempt to do that, it will make it much easier for all concerned, including the Chair.

New question, the member for St Catharines.

Mrs Marland: Mr Speaker, I am on a leader's question and I am entitled to two supplementaries.

Interjections.

The Speaker: Just a moment. It is the member for Mississauga South. I have not heard her point of order. I assumed that you had completed because you appeared unable to place a question. If you can place a question within 10 seconds, then go ahead.

Mrs Marland: I can. I would like the minister to answer this question—

Some hon members: Nine, eight, seven, six, five, four, three, two, one.

The Speaker: Stop. That is grossly unfair. The member for Mississauga South has been given an opportunity to place a question within a short time frame. She will be allowed that opportunity.

1440

Mrs Marland: For the benefit of the minister, he has to hear this one sentence in order to answer the question. The chairman said, "We have always received less than inflation for our budget and we've had to eat it and that's a great discipline to ensure that you get the most out of our dollar." When we look at the TVOntario budget again and we look at a total increase of 26%, roughly five times the inflation rate, will this minister tell this House how he will ensure that TVOntario is accountable for the appropriate use of taxpayers' dollars allotted to it?

Hon Mr Marchese: I have answered the question with respect to the increase that TVO has gotten. It was not 26%, it was 3% last year and 4% this year.

The member has raised a number of questions, and allegations have been made in the past. I have said we are looking into that and I think the member will appreciate that it takes time to do a review, which is what we are doing. As soon as we have the information, we will provide it to her.

OPP CUTBACKS

Mr Bradley: I have a question for the Solicitor General. It is a question about the removal of yet another important tradition in the province of Ontario and it arises from an announcement which appears to have not been made. It comes from one of my constituents, who I think put it succinctly. She said:

"As a mother of two Ontario Provincial Police officers, both my husband and I have enjoyed the music of the

band"—she is referring of course to the OPP Pipes and Drums—"at the graduation ceremonies at Brampton and Aylmer. It never fails to bring a lump to my throat when the band plays Amazing Grace with such tremendous dignity, skill and emotion.

"In everyone's life, one particular incident will stand out as especially memorable: a hot August day in Gogama, Ontario, when the OPP pipe and drum band came to town. The stands outside the community hall were crammed with residents from rural areas and the town. It really did not matter what language one spoke, everyone understood the language of music. What a day it was for community relations."

Would the Solicitor General inform us why he is putting the OPP Golden Helmets and the pipe and drum band on the chopping block?

Interjections.

The Speaker: While I am certainly not encouraging somnolence, I would appreciate perhaps some curbing of enthusiasm so that people who are attempting to respond will have the opportunity to do so.

Hon Mr Farnan: When it comes to a budget, there are some tough decisions to be made. We met with the OPP commissioner, and the OPP commissioner, faced with some choices, decided that a very tough choice had to be made. The reality of the matter is that our fine officers who do such an outstanding job right across this province have to stretch resources. The opposition would want us to spend, spend, spend, but there is a limit. Some tough choices have to be made and, with much reluctance, it was the decision of the OPP, its recommendation to me, that rather than have cuts in programs and service, it very reluctantly cut this service that the member refers to.

Mr Bradley: We are talking about a budget of some \$52 billion. This minister is talking about removing a certain portion. At a time when police officers in this province feel somewhat under siege, and at a time when police morale in the province of Ontario is probably at an all-time low, and at a time when people are concerned about the removal of important and vital traditions—

Mr Scott: Symbols.

Mr Elston: —and symbols which are very significant to so many, why would the Solicitor General allow both these institutions to be removed? Will he give an assurance to the House that these will be restored and that he will overrule his civil servants and make a decision on behalf of the people of this province?

Hon Mr Farnan: As Solicitor General, my first responsibility is the safety and security of the people of this province. I disagree with the member. I have confidence in the men and women who wear the blue. I have confidence in the fine job they do for the people of this province. I have every confidence they will provide the best possible security for the people of this province and I am not prepared to cut programs or services.

I also want to add that this band has committed to me on all its obligations for this year. It has also offered to put in some volunteer time and is looking at other funding opportunities to keep going.

ONTARIO HUMAN RIGHTS COMMISSION

Mr Cousens: This question is for the Minister of Citizenship. In response to an Orders and Notices question I placed with the minister, I was informed that as of 30 November 1990 a total of 2,950 complaints were pending before the Ontario Human Rights Commission. The cases that were closed between April and November of last year took an average of 13 months to resolve.

The minister will also be aware that \$3 million was allocated by her ministry in May 1989 to address the backlog of cases before the commission. Upon making the announcement, the then Minister of Citizenship stated that 75% of the increase would go directly to investigation and complaint resolution. Will the minister give this House an accounting of how this \$3 million is being used and why the average time to close a case is still 13 months?

Hon Ms Ziemba: Since coming to this place on 1 October and prior to being here, we have been very concerned about the backlog of cases. Obviously we want to make sure there is a resolution. People's rights have to be enshrined and the resolution of a case has to be ensured.

The funding that came through was to be used for staff and to do a new case management program. When I came on board on 1 October, I asked how we were going to address the backlog in the Ontario Human Rights Commission and I was assured there was a new case management program that had just started. They had just set this in place in September. Obviously they needed a few months to see how they could address the backlog and whether it would work.

I have been meeting with the chief commissioner on a very frequent basis, sometimes every two weeks, to see if this particular way of addressing the backlog has actually taken effect and has worked. We have now gone into a few months of trying that process and have seen that the process has not worked well. We are trying to come up with a new process. Obviously I had to give it some time. It was set in place before I had come into this place, before we had started and we had—

The Chair: Would the minister conclude her remarks, please.

Hon Ms Ziemba: —to see that this would work.

We also set in place some other new ideas and I will explain those in a supplementary if you like.

1450

Mr Cousens: It is obvious that the Ontario Human Rights Commission is not working. There are the few months that were given and then add another few months, because it is more than just a couple of months since the minister took power. We have a situation described in the papers today where an officer was told to go and seek help elsewhere when that officer went to the human rights commission for assistance. Both the minister and the human rights commissioner have been quoted on CBC radio as indicating that they feel additional staff are needed to handle the backlog. Clearly the original \$3 million was invested for that and still is not working.

In May 1989, the former commissioner, Raj Anand, indicated that the average time to resolve a case was 11

months. At that time, there were some 2,228 cases backlogged in the system. Just about everyone in the province is incensed at the number of cases pending and that the time it takes to resolve these cases has increased, when the taxpayers have already spent some \$3 million to solve the problem.

Would the minister tell me where the \$3 million has gone. If she does not know, will she commit to an examination of how the \$3 million was spent by the standing committee on public accounts so that we can have a full reporting of where the \$3 million really went?

Hon Ms Ziemba: I am pleased that the member is concerned about the backlog. I think everybody in this House is, as is the other opposition party. As I stated earlier, human rights is very important in this province and we want to address those issues.

The backlog was there. I gave them a chance to try the new case management program they had initiated and started. Obviously it has not worked well. We are looking at some other initiatives to make sure the backlog is cleared up. We have just appointed five new commissioners to go in who have a very extensive background in human rights and civil liberties. They have good background in management as well. They are going in with an idea to try to see if they can give it some fresh incentive.

The \$3 million that the member is questioning me about has been spent in hiring some new staff. It has also been spent in some various new methods and programs to see how to use different initiatives to address human rights. I am concerned. We are certainly going to make sure the money is duly allocated in the proper process. But the most important thing is not the dollars spent; it is to make sure that human rights are enshrined, that people have their day in court, that they are not being discriminated against and that they are not having any violation of their human rights.

Mr Stockwell: Don't worry about the money.

Hon Ms Ziemba: I would like to take exception to that remark by the member for Etobicoke West. Human rights is more important than dollars.

FOREST MANAGEMENT

Ms Haeck: My question today is for the Minister of Natural Resources. On Tuesday of this week the minister made a statement in this House unveiling the ministry's sustainable forestry package. First of all I would like to congratulate the minister for his exciting new program and the direction of forest management in Ontario.

Specifically, I would like to address the part of this announcement which pertains to the private woodland strategy. Representing St Catharines-Brock, I believe this will be important to a number of my constituents. Could the minister please elaborate on the strategies he announced that are for the protection of wildlife heritage and habitat improvement.

Hon Mr Wildman: I appreciate the member's interest in the sustainable forestry announcement. This is important for southern Ontario as well as northern Ontario. We all recognize there are unique features of forest such as the

Carolinian forest in the southern part of the province, and as part of natural heritage it must be protected.

In the agricultural areas of the province, it is important that we improve woodlots. We have a co-operative research and technology program with the Ministry of Agriculture and Food which focuses on small woodlot ecology as well as urban forestry and small-scale silviculture. This will assist in protecting the fragile farm lands that we have in southern Ontario against erosion. I appreciate the interest of the member.

Ms Haeck: The minister outlines a challenging new direction that I think will go far in meeting the expectations of land owners and society. One thing that will ensure the participation of people in this program is the commitment to setting up local advisory committees. Would the minister please explain what he envisions these committees will look like and who will be involved at that time.

Hon Mr Wildman: We will be setting up advisory committees to keep our commitment to full public participation. We do not want to look at projects on a first-come, first-served basis. We have to evaluate them in developing policy and delivering the program for private woodlands, so we will have these advisory committees that will provide us with practical and balanced planning.

I cannot tell the member exactly how the committees will operate right now, except that I suspect they will meet three or four times a year and will be based on broad community membership. This is a grass-roots approach and will be a way of improving our partnerships in resource management across southern Ontario as well as in the north.

BUDGET

Mr Phillips: My question is to the Treasurer. I think the Treasurer has tried to alleviate some of the concern about the \$10-billion deficit and future deficits by suggesting we should worry a little less about it because a significant part of it is a capital deficit. In fact, if I quote the Treasurer properly here, he is saying: "We're trying to make sure that people understand that there's a difference between capital investment and paying for operating expenditures. If we have a deficit in our capital account, that's not as serious as having an ongoing deficit in the operating account." I think that is an accurate quote.

As the Treasurer said earlier, he may appreciate that we think we had some expert testimony at the standing committee on finance and economic affairs. We heard testimony that frankly was almost the opposite of that quote I just gave the Treasurer. In fact, one expert's testimony said: "I think it would be counterproductive to pretend that the capital part of your budget was not as big a part of the deficit as the operating. I think it would be seen to be so transparent to try and do that either through a separate agency or through a separate capital account."

I wonder if the Treasurer could indicate to us which is right here, his opinion or the expert testimony that we heard.

Hon Mr Laughren: First of all, I agree with the assessment that if one were to try to establish two accounts

for the purpose of disguising the consolidated deficit, that would be so transparent as to be downright stupid. I tried to make it very clear that showing the capital account and an operating account would still require, at least as we see it, having a consolidated number, a consolidated deficit or surplus perhaps, but anyway, a consolidated deficit.

I think setting it up for that purpose would be foolish indeed. What we intend to do is to set it up in two separate accounts. I think there is a qualitative difference in establishing what goes into capital and what goes into operating, because what goes into capital is an investment for perhaps decades and decades, whereas the operating account is to pay for the ongoing programs of the government. I think there is a difference there. I am not sure there is a difference in view between what the testimony was and what I feel about it as well.

Mr Phillips: I am glad there is not too much of a difference, because the quote I gave the Treasurer from the committee actually was his own quote. That was in February of this year. He said it would be counterproductive to pretend the capital part of his budget was not as big a part of the deficit as his operating part. The Treasurer's other quote later on, though, is that there is a difference and that people appreciate the difference.

I tend to agree with how the Treasurer felt in February as opposed to how he felt in the budget, perhaps, that it is just as big a part of the deficit. For that reason I ask the Treasurer this question: He is running a \$9.7-billion deficit now. I think over the next three years he is estimating an \$8-billion to \$9-billion deficit. Then, even as we head into 1997-98, he is assuming he may have a balanced operating budget, but I think he will see a deficit in the capital count of at least \$5 billion a year into the next century.

If the Treasurer had continued to use the accounting practices of the past, that would show up as a continuing at least \$5-billion deficit—

The Speaker: And the supplementary?

Mr Phillips: —in spite of the fact that revenues are increasing around 10%. The Treasurer is planning on running record deficits in the province well into the next recession, if we ever get out of this recession, through good times. He is predicting some very good times and in spite of that is running at least a \$5-billion deficit for the foreseeable future.

My question is this: Will he at least look at that decision now and make some assurances to the people of this province that as we head into the good times, he will set a date when he will have a balanced budget? I would suggest that he set that date no later than 1997-98 and not look at continuing to run an at least \$5-billion deficit for the foreseeable future.

Hon Mr Laughren: I think this is my lucky day, that I did not disagree with myself on the member's first question.

In the medium-term fiscal outlook which is in the budget, we indicated—the member is quite right—that we would be down, on the operating deficit, to \$3 billion by 1994-95, and eliminating that part of the deficit, the operating part, three years after that. But I think it would be a bit much for me to stand in my place in 1991 and say what

the capital deficit is going to be in 1997. I could make all sorts of promises and statements that would sound good today, but I am not sure it would be appropriate, because I really would have difficulty predicting what that would be.

I would make one commitment, though. When the member talks about continuing high deficits, record deficits, I would remind him that in terms of all sorts of measurements, with the deficit dropping and revenues going up, it no longer becomes record deficits in all sorts of measurements—certainly not as high as the deficit that the Tories in Saskatchewan incurred in 1987.

1500

SEVERANCE AND TERMINATION AGREEMENTS

Mr Tilson: My question is to the Chairman of Management Board. The Management Board approved \$701,400 for severance and termination payments in the Premier's office for the fiscal 1990-91 period. This is an amount which equals 38.5% of the total wage and salary bill for the Premier's office in the last fiscal year. Would the minister provide us, and the Ontario taxpayer, with the information on the number, the structure, the terms and costs of the individual termination and severance packages paid by the Premier's office in the last fiscal year?

Hon Ms Lankin: I certainly do not have that kind of information with me. The severance packages that were paid were in fact severing employees from the Premier's office of the previous government. They were worked out in the context of the previous government's Premier's office. What is available in terms of a breakdown of that information, I have to say to the member, I am not sure myself. I will take a look into that, and if I can get that information to him, I will make it available. If I cannot, I will let him know the reasons why.

Mr Tilson: I am not sure, of course, whether the minister is saying she will give it or she will not give it. The question is being asked—

Interjections.

Mr Tilson: Well, it is a very vague answer. The response is unacceptable, particularly since last week her colleague in Financial Institutions was busily endorsing the interest of the fairness and the accountability of a proposal to require senior executives in publicly traded companies to disclose their take-home pay to shareholders. So I take the position that she is not giving it to me. If she gives it to me, wonderful, but I do not think she is going to.

In light of this refusal to provide this information, can she explain how we, as members of the assembly and the public, are to ensure that the Ontario taxpayers are not being asked for golden handshakes, platinum parachutes and sweetheart deals, either in the Premier's office or elsewhere in the public service? We want to know the details of these deals. Why should the taxpayers, the shareholders of this province, not have the same right to information on the compensation packages as a shareholder in a publicly traded company? I asked by way of Orders and Notices some time ago with respect to specific details on all of this information, and all I get are magic numbers. I want the details.

Hon Ms Lankin: I do not think the member should at all take from my response that I am not going to give it to him. Quite frankly, I do not know what breakdown is available. That was worked out in the Premier's office of the previous government. In fact, I agree in general with the comments the member makes in terms of openness about those sorts of figures, but I am not aware of whether or not the agreements that were reached in terms of severance for those people contain clauses in which people on both sides were unable to talk about them. I do not know those things until I look into it for him. I am prepared to look into it for him and I will let him know the response as soon as I can.

TOBACCO GROWERS

Mr Jamison: My question is to the Minister of Agriculture and Food. As some members of the House are aware, the Minister of Agriculture and Food recently met with the tobacco board to discuss the recent tax increases on tobacco products and the impact of such increases on tobacco growers in this province.

My question to the minister of agriculture is this: What plans does he have to work out a solution to safeguard the wellbeing of tobacco growers in light of this level of taxation?

Hon Mr Buchanan: The member is quite right; we met with the marketing board yesterday morning to discuss the issue, and we had a very frank discussion, I might add. We have agreed to sit down and discuss with the board basically three topics: We will look at what we can do for the export enhancement side of it and look to the export market as a possible solution. We are going to look at various adjustment programs. Some adjustment programs have been in place in the past; we will look at them and see what we can do with our federal counterparts to address the longer-term proposal. We do believe it probably needs to be a long-term program put in place which will help the individuals and the communities where the tobacco growers live.

Mr Jamison: I am encouraged to hear that the minister has met with the board and discussed the ongoing problem that affects a significant part of southern Ontario, in particular the counties of Oxford, Elgin and Norfolk and the agricultural community in those particular areas. I believe it is time that we took this type of initiative.

How soon does the minister expect to begin these discussions to consider the assistance programs for tobacco growers in light of the fact that the areas of taxation are twofold, one federal and the second provincial, and hoping that there would be joint co-operation in any drive in that area?

Hon Mr Buchanan: Yes, there is a meeting scheduled for officials. Provincial and federal agricultural officials are meeting with the marketing board this Friday to begin discussions to look at longer-term programs. There is a lot of concern from the growers' and the producers' side. There are contracts signed for this particular growing crop, but we need to address the 1992 crop and we hope to have some kind of a program in place for announcement in the fall of 1991.

POLLUTION CONTROL

Mrs Sullivan: My question is for the Minister of the Environment. The minister will know that there was a chemical spill yesterday into the St Clair River. The minister will also know that the company involved had committed to convert to a closed-loop technology by the end of the decade. The incentive to move in that direction was largely a result of the Liberal MISA program, the municipal-industrial strategy for abatement, which was aimed at achieving a virtual elimination of toxic discharge into our waterways.

In opposition, the minister was very critical of the MISA program, saying it was not moving quickly enough. She and the now Premier promised that a New Democratic Party government would eliminate toxic discharge into Ontario waterways. Since making the promise to achieve zero discharge, the minister has been silent on how and when she plans to achieve this goal. I am asking that the minister inform the House today when we can expect to see her timetable for her abatement regulations.

Hon Mrs Grier: Let me respond to the premise of the member's question, which was the spill by Dow Chemical into the St Clair River, because I know that other members are interested in yet another event in that area. Members will recall that I had issued a control order to Dow Chemical asking it to expedite the closed-loop system that would remove its discharges from the river. Unfortunately, Dow chose to appeal that order, and so a lengthy hearing has been under way and no decision has been rendered.

1510

With respect to the MISA program, I am pleased to be able to tell the member that I have asked my ministry to review that program. In my opinion, as an opposition member and as minister, that program was too far into the future, was not going to in fact move us towards zero discharge, and had been moving far too slowly under the auspices of the previous government. So I have asked for a review, and when that is completed I will be glad to bring it before the House.

Mrs Sullivan: This is a puzzling announcement from the minister. The minister said in estimates committee, "Once we have resolved some of our waste management priorities, we will move on to MISA." It seems to me that not only did the people of Ontario not elect a new government that was only dealing with one environmental issue at a time, but surely the matters of clean water are of great importance. To date in this House we have not heard anything from the minister, including this announcement relating to MISA, on any issue other than garbage.

Does this statement today from the minister mean that she has abandoned MISA altogether? Does it mean that she is going to come forward with the eight other MISA abatement regulations? How does she define "zero discharge"? We need to know about those issues.

Hon Mrs Grier: I wish that as Minister of the Environment I had the luxury of dealing with one issue at a time. Unfortunately, that has not been the condition in which I have found myself since 1 October.

Let me assure the member that MISA is a program that has provided us with a very sound base of data. As members will recall, MISA is a two-phase program: the gathering of vast amounts of data about the various industrial sectors, which is not yet finally completed, and then the implementation of control regulations. The collection of the data is almost completed and has been reviewed in the case of some of the sectors. I am looking at how quickly we can move towards the control regulations and how we can strengthen those control regulations from the program that was contemplated by my predecessors.

APOLOGY

Mr Morin: On a point of privilege, Mr Speaker: I wish to rise to apologize to the member for Welland-Thorold. It has come to my attention that an article appeared in a publication and that has caused me great concern. My concern is that the material for the article appears to have originated from my constituency office in Gloucester.

Once this matter was drawn to my attention, I investigated and discovered that a member of my staff had sent the document in question by facsimile, entirely on his own initiative. I dismissed the employee and wholeheartedly apologize to the member for Welland-Thorold for any embarrassment this may have caused.

I have already apologized today, personally, to the member for Welland-Thorold.

The Speaker: I appreciate the member's point of privilege, and no doubt the member for Welland-Thorold does as well.

WRITTEN QUESTIONS

Mr Cousens: Mr Speaker, I rise on a point of order under standing order 95(d). On 22 November I tabled Orders and Notices paper question 56, which reads as follows:

"Would the Minister of Citizenship list the cost of all ministry publications, with details on how each was published and how contracts were awarded, including the cost of translation?"

Standing order 95(d) states:

"The minister shall answer such written questions within 14 calendar days unless he or she indicates that more time is required because the answer will be costly or time-consuming or that he or she declines to answer, in which case a notation shall be made on the Orders and Notices paper following the question indicating that the minister has made an interim answer, the approximate date that the information will be available, or that the minister has declined to answer, as the case may be."

Order paper questions are supposed to be answered within 14 days, yet it has been almost five months since I tabled this question. An interim answer was tabled on 18 December 1990, but that answer predicted the information would be available on 15 April 1991. It has now been almost a month since the date that information was to be made available.

The failure to answer order paper questions is also a breach of privilege under the Legislative Assembly Act, paragraph 45(1)6, which states that a breach of privilege

occurs when there is a refusal "to produce papers before the assembly or a committee thereof."

As a member of this assembly I feel I have a right to the access to information that is essential for me to do my job as a representative of the people of Ontario and for the riding of Markham. Mr Speaker, it is your responsibility to ensure that the standing orders of this assembly are complied with. The government has shown blatant disrespect for our standing orders by not answering this question. I ask you to take the necessary steps to enforce the standing orders of the Legislative Assembly of Ontario.

The Speaker: The member for Markham indeed has a valid point of order.

Hon Mr Charlton: On the point of order, Mr Speaker: I would like to inform the Speaker that the answer to question 56 has been tabled today.

Mr Cousens: Today? Why did he not give it to me before I went through this?

On a point of order, Mr Speaker: I cannot stand this. Here we are in the House trying to get things going and they do not tell us what is going on. He comes along and says, "Well, we just tabled it." He is just making himself look ridiculous. He is going to give politicians a bad name.

Mr Speaker, I would hope that in your own good way you will find some decorous method of making these guys be more responsive to all the questions on the order paper, so that we do not have to come back and haunt this House day in and day out trying to remind them to do their job. I find this just a contemptible approach to the House and to members opposite who are trying to serve the people of the province of Ontario.

I would like to ask, on the point of order, why it is that the honourable minister did not come along and indicate to me that he was going to table an answer today when in fact they said they were going to table the answer on 15 April? Mr Speaker, could you give me some explanation on that, through this minister.

The Speaker: I think the member knows full well that the Speaker is not in a position to be able to resolve differences of opinion among members. However, I am also sure that all honourable members have a great respect for the standing orders and will do their utmost to maintain the integrity of our institution here.

1520

Mr Carr: On a point of order, Mr Speaker: I hope I am as lucky to get the answer back today as well, so I will rise on a point of order under standing order 95(d).

On 22 November I tabled an order paper question numbered 108, which reads as follows:

"Would the Minister of Corrections state the ministry's policy regarding the incarceration of mentally ill inmates in provincial correctional facilities, and the provision of psychiatric services in provincial correctional facilities?"

Standing order 95(d) states:

"The minister shall answer such written questions within 14 calendar days unless he or she indicates that more time is required because the answer will be costly or time-consuming or that he or she declines to answer, in which case a notation shall be made on the Orders and

Notices paper following the question indicating that the minister has made an interim answer, the approximate date that the information will be available, or that the minister has declined to answer, as the case may be."

It has now been close to six months and the failure to answer this order paper question is a breach of privilege under the Legislative Assembly Act, section 45, which states that a breach of privilege occurs when there is a refusal "to produce papers before the assembly or a committee thereof."

As a member of the assembly I feel that I have the right to the access to the information that is essential for me to do my job as a representative of the people of Ontario.

Mr Speaker, it is your responsibility to ensure that the standing orders of this assembly are complied with. The government has shown a blatant disrespect for the standing orders by not answering this question. I ask that you take the necessary steps to enforce the standing orders of the Legislative Assembly of Ontario.

The Speaker: The member for Oakville South indeed has a valid point of order. No doubt the minister to whom his concerns are directed is aware of his concerns and he should expect a response.

Mr Runciman: On a point of order, Mr Speaker: I, as well, am rising on a point of order under standing order 95(d).

On 22 November 1990 I tabled order paper question 94, which reads as follows:

"Inquiry of the ministry—Would the Minister of Consumer and Commercial Relations provide the following information for the fiscal years 1987-88, 1988-89, 1989-90 and the year-to-date: (1) the number of speechwriters employed full-time and on contract each year; (2) for each speaking engagement attended by the minister or deputy minister, the topic of the speech or remarks, the name of the individual speechwriter, the page length of the address, and the contract fee paid or anticipated to be paid?"

Standing order 95(d) states:

"The minister shall answer such written questions within 14 calendar days unless he or she indicates that more time is required because the answer will be costly or time-consuming or that he or she declines to answer, in which case a notation shall be made on the Orders and Notices paper following the question indicating that the minister has made an interim answer, the approximate date that the information will be available, or that the minister has declined to answer, as the case may be."

Order paper questions are supposed to be answered within 14 days, yet it has been almost six months since I tabled this question. An interim answer was provided on 13 December. That answer predicted that the information would be available on 15 January 1991. It has now been approximately four months since the date the information was to be made available.

The failure to answer order paper questions is also a breach of privilege under the Legislative Assembly Act, paragraph 45(1)6, which states that a breach of privilege

occurs when there is a refusal "to produce papers before the assembly or a committee thereof."

As a member of this assembly I feel that I have the right to the access to information that is essential for me to do my job as a representative of the people of Ontario.

Mr Speaker, it is your responsibility to ensure the standing orders of this assembly are complied with. The government has shown blatant disrespect for our standing orders by not answering this question. I ask you to take the necessary steps to enforce the standing orders of the Legislative Assembly of Ontario.

Hon Mr Charlton: On the same point of order, Mr Speaker: The answer to question 94 to which the member has referred was tabled this afternoon. Mr Speaker, for the help of yourself and other members who may be raising concerns, there were 39 order paper questions in total outstanding. Twenty-four were tabled earlier this afternoon; 13 more will be tabled before the afternoon has concluded. The last remaining two will be ready tomorrow for tabling on Monday.

The Speaker: As the member for Markham noted earlier, there is a little communication difficulty here in that, if I understand the procedure properly, having tabled them does not guarantee automatically that information will flow that day to those who had inquired in the first place. If it is of assistance to the members, perhaps those who placed questions and who are in the chamber, if they are so inclined, could check with the table to determine whether or not in fact the answers have been provided this afternoon. That would save them having to raise it as a point of order.

Mr Cousens: Mr Speaker, on a point of order: When the minister stands in the House and makes a statement such as he did, we might be faced with the same kind of problem that we are addressing, the very thing the member for Leeds-Grenville has just raised, in that we are getting interim answers. The problem we have is that on dates going back to November, questions have been tabled, we had interim answers on 18 December and then they said that the information would be available on 15 April, far in excess of the 30-day time frame.

Now we come along and the minister is supposedly leading this House to believe that these answers will be complete and thorough. I have a sense that we would not be seeing these answers at all if it were not for the leadership of the member for Nipissing, who has said that this House will stand still for a while until we have a debate outside this Legislature to discuss the budget, which is an anathema to Conservatives, an anathema to business people and something that we in this House are going to do everything to make sure that—

The Speaker: Could the member take his seat, please.

Of course, the Chair has no way of knowing the content of the answers which have been supplied. I have simply made what I think is a reasonable suggestion to all members who may have an interest in whether or not the responses have indeed been tabled. That would perhaps assist all of us in trying to expedite the business.

"Would the Minister of Labour provide the names of each of the consultants commissioned by the ministry in fiscal years 1987-88, 1988-89 and 1989-90, the total expenditure on each report and the details of the tendering process for each report or, if applicable, the reason why the contract was not put up for tender?"

Standing order 95(d) states:

"The minister shall answer such written questions within 14 calendar days unless he or she indicates that more time is required because the answer will be costly or time-consuming or that he or she declines to answer, in which case a notation shall be made on the Orders and Notices paper following the question indicating that the minister has made an interim answer, the approximate date that the information will be available, or that the minister has declined to answer, as the case may be."

Order paper questions are supposed to be answered within 14 days, yet it has been almost six months since I tabled this question. An interim answer was provided on 13 December, but that answer predicted that the information would be available on 18 April.

The failure to answer order paper questions is also a breach of privilege under the Legislative Assembly Act, paragraph 45(1)6, which states that a breach of privilege occurs when there is a refusal "to produce papers before the assembly or a committee thereof."

As a member of this assembly I have a right to such information that is essential for me to do my job as a representative of the people of Ontario. Mr Speaker, it is your responsibility to ensure that the standing orders of this assembly are complied with. The government has shown disrespect for our standing orders by not answering this question. I would ask you to take the necessary steps to enforce the standing orders of the Legislative Assembly of Ontario.

The Speaker: To the member for Waterloo North, you have raised a valid point of order and no doubt the minister to whom your concerns are directed is aware of those concerns and you should anticipate a response.

1530

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Mrs Coppen moved that notwithstanding standing order 94(h), the requirement for notice be waived with respect to ballot item 20.

Mr Cousens: I want to speak to this for a moment if I could. If I understand correctly, the acting House leader, the government whip, has really moved that it is notwithstanding standing order 94(h), which reads, "At least 14 calendar days' notice must be given for any item to be considered in the private members' time and all bills to be debated must be introduced or notices of resolutions tabled not later than the Tuesday of the second week prior to the week in which the item is to be debated."

That is a standard statement in the Legislature. We have had precedent in the past and when this happens, it is a matter for the House to either agree unanimously or to proceed with it, or if the House does not fully agree, we have had a chance to give it further thought.

I wonder why it is that the government is trying to change things around all the time. I have a sense that the government is not totally sure of how it wants to run things. They say one thing when they are in opposition. Now that they are in government, they are trying to shift it around and there is a certain uncertainty that prevails. That uncertainty is also prevalent in the business climate of this province, as people are looking at the budget this government has brought forward, a budget that is upsetting people. It causes me to have great concern about what it is trying to do right now.

1604

The House divided on Mrs Coppen's motion, which was agreed to on the following vote:

Ayes—70

Abel, Allen, Arnott, Bisson, Buchanan, Carr, Charlton, Churley, Cooke, Cooper, Coppen, Cordiano, Cousens, Curling, Dadamo, Drainville, Duignan, Elston, Ferguson, Fletcher, Frankford, Gigantes, Grier, Hansen, Harnick, Harrington, Hayes, Henderson, Huget, Jamison, Johnson, Jordan, Klopp, Kormos, Lankin, Lessard, Malkowski, MacKinnon, Mammoliti, Marchese, Mathysen, McClelland, Miclash, Mills, Morrow, Murdock, S., O'Connor, Offer, O'Neill, Y., Owens, Perruzza, Philip, E., Phillips, G., Pilkey, Rizzo, Runciman, Ruprecht, Silipo, Sola, Sutherland, Turnbull, Ward, B., Ward, M., Waters, Wessinger, White, Wilson, G., Winninger, Wiseman, Witmer.

Nays—0

Mr Cousens: I move to adjourn the House, Mr Speaker.

The Acting Speaker (Mr Villeneuve): The honourable member is out of order. We are still at the introduction of motions.

Mrs Coppen moved that the House proceed to the orders of the day.

Mr Cousens: I think it is taking away an opportunity for this House to deal with business that is part of our standing orders.

The Acting Speaker: This is a non-debatable motion.
1639

The House divided on Mrs Coppen's motion, which was agreed to on the following vote:

Ayes 51; nays 20.

ORDERS OF THE DAY

EMPLOYMENT STANDARDS AMENDMENT ACT
(EMPLOYEE WAGE PROTECTION PROGRAM), 1991

LOI DE 1991 MODIFIANT LA LOI
SUR LES NORMES D'EMPLOI
(PROGRAMME DE PROTECTION DES SALAIRES
DES EMPLOYÉS)

Mr Mackenzie moved second reading of Bill 70, An Act to amend the Employment Standards Act to provide for an Employee Wage Protection Program and to make certain other amendments.

M. Mackenzie propose la deuxième lecture du projet de loi 70, Loi portant modification de la Loi sur les normes d'emploi par création d'un Programme de protection des salaires des employés et par adoption de certaines autres modifications.

Hon Mr Mackenzie: I am pleased to introduce for second reading Bill 70 amending the Employment Standards Act to create the employee wage protection program. This marks a significant step in protecting the workers of this province during these difficult economic times. It is a promise we made in the throne speech and it remains a priority of this government.

I am confident that all members in the House will recognize the importance of this legislation. We are all aware that every region of this province, every town and every city, has suffered job losses through plant closures, bankruptcies or insolvencies. The other members no doubt are familiar with many of the stories of their constituents and the problems they have experienced.

There is much talk about jobs, the economy and the recession as if these were abstract or distant events. What this government wants to talk about is people and how they and their families will cope with the loss of their livelihood. The employee wage protection program helps us to do just that. It is an important part of this government's comprehensive program to help laid-off workers and it represents a significant achievement in strengthening the rights of workers in the province.

It is a sad fact that when workers lose their jobs, they often lose some of their earned wages, vacation pay, severance pay or termination pay. This is money they have earned. This is money that legally belongs to them. Not only do some workers find themselves suddenly without a job, they are also without the wages they have earned at a time when they need it most.

The statistics we see are distressing. It is estimated that in the 1982 recession, on average over 20 workers lost their jobs in each business bankruptcy. Using these figures, we can estimate that some 60,000 workers were victims of bankruptcies in Ontario in 1990.

According to the federal laws that govern bankruptcies, workers are considered unsecured creditors. This means they are among the last in line to receive their earned wages. Practically speaking, under that system they have little or no chance whatsoever of obtaining the money owed them by their employers. Not only are these employees unable to collect money they are owed, they are also without a job. I am sure the honourable members are aware of the personal anguish this can cause.

However, it is not just bankruptcy that causes these kinds of situations. There are times when an employer does not comply for other reasons with an order to pay issued by the employment standards branch of my ministry. Under current laws, the only recourse to a refusal to pay is through the courts. This is a time-consuming exercise dragging on for months if not years, and in the majority of cases the worker never gets the money owing. This is money that belongs to the workers, yet in cases of bankruptcy and in many cases of failure to pay the worker is unable to collect.

This is unacceptable. Why should a worker be denied money that has been earned because a company goes bankrupt? Why should a worker be denied money that is owing because an employer does not comply with a legal and binding order to pay? This program will help to remedy that situation.

Bill 70 provides for the establishment of the employee wage protection program to ensure that workers receive the wages and vacation pay along with severance and termination pay they are owed when a company becomes insolvent or fails to pay. Employees qualified for compensation will be able to receive a maximum of \$5,000 from the program. In some cases the \$5,000 will not cover the total owing, but we believe this amount will provide a substantial measure of protection. This is especially true of lower-paid workers who are of course the most vulnerable. In addition, employment standards officers will continue efforts to recover from the employer the full amount that is owing.

The employee wage protection program will be retroactive to 1 October 1990, the day this government assumed office.

Since the Premier made his announcement of the establishment of the program, approximately 13,000 workers have submitted claims for unpaid wages to the employment standards branch of my ministry. My ministry estimates that some 56,000 workers will apply for assistance in the first 18 months of the program. It is estimated that the costs for this initial one-and-a-half-year period will be approximately \$175 million. The program will be financed out of the government's general revenue. This amount reflects both the 18-month period and the current economic situation. When the economy gets back on track, the yearly expenditure of the employee wage protection program will be much lower. As fewer companies are put in financial difficulty, the pressure on the program will ease, resulting in a much more manageable cost for the Treasury.

It would be wonderful to predict that one day we might not need a program such as this, but today the grim reality shows that it is a very clear necessity. I would like to stress that this coverage is neither a gift nor a grant; it is the payment of money that workers have earned and that is owed to them. The wage protection program is designed to provide administrative recourse for workers to obtain the money that is rightfully theirs.

Strong efforts will be made by my ministry to recover the money paid out by the program. The amendments to the Employment Standards Act outlined in Bill 70 incorporate the liability provision for directors and officers of a company. Director liability for wage debts already exists under the province's Business Corporations Act and under the Corporations Act for non-profitable and charitable organizations.

We are extending this liability to officers of a company and making the money recoverable under the Employment Standards Act. Directors and officers will now be liable for the equivalent of six months of regular wages and 12 months of vacation pay per employee. This is the same maximum that currently exists for directors under the Business Corporations Act and the Corporations Act. We

have decided to extend the liability to officers since they participate in decisions that may lead to non-payment of wages.

Concerns have been expressed about the effect this liability might have on non-profit and charitable organizations. While I believe that these concerns are not necessarily justified, I am prepared to listen to and consider any arguments put before me in the process of going through the House with this particular bill.

1650

In order for companies to obtain liability insurance for their directors and officers, this part of the legislation will come into effect three months after the proclamation of these amendments. To ensure that workers receive payment for the program in a timely manner, an expedited appeals procedure will be put in place. Employer-initiated appeals will now start within 45 days of the application. Workers will get a speedy resolution to their claims if their employer should decide to appeal. If employees wish to appeal an employment standards branch ruling, they will have access to an improved adjudication process.

The government recognizes that the great majority of employers in Ontario live up to their financial obligations. Through the introduction of the legislation, we are demonstrating that we are interested in helping people, not punishing them. We are focusing on the need for employees to be able to receive their unpaid wages. We will continue to press the federal government for changes to the federal Bankruptcy Act. If the federal government lives up to its promise and amends the Bankruptcy Act to cover workers and to create a wage protection fund, our government pledges to work closely with our counterparts in Ottawa to ensure that both programs work in concert.

I would like once again to stress that the need for the employee wage protection program is urgent. As members no doubt can appreciate, workers need their unpaid wages now and workers need to know that they can recover that money through a dignified and fair process. I urge all members of this House to co-operate to ensure swift passage of this legislation.

Mr Cordiano: I just want to comment and to ask a couple of questions of the minister with respect to his initiative today on second reading. Obviously under the wage protection fund, as I thought I heard the minister state, the intention of this legislation would be to deal with, more appropriately, recessionary times; that is, when times are bad, as they are now. I thought I heard the minister say it is crucial that this legislation be brought forward as quickly as possible in these bad economic times, when people are losing their jobs.

On the other hand, the question I have of the minister is, on principle here, what happens when economic times get better and he has a situation where a bankruptcy occurs, an employee loses these wages, there are back wages owing to the employee, and that employee then goes out and gets another job and is still entitled to those back wages? Is the legislation therefore somewhat different in its treatment of that person at that time with respect to the

change in economic conditions? I would think not; I would think the principle of the bill would be—

Hon Mr Cooke: Of course not.

Mr Cordiano: I am not suggesting it is. I am asking the minister to clarify what he said. I would read back, if I had instant Hansard, what he said, but it seems to me that there was a bit of confusion, or not a clear message with respect to the change in economic conditions. I think the minister needs to clarify that a little bit further with respect to that section of his statement.

I would hope that once the bill is implemented, there would be a fundamental principle there that wages are owing to these employees whether times are good or times are bad, because those wages were earned by those employees. I would expect this legislation to cover those periods of time, and obviously the legislation should continue when economic times get better.

There are other questions, and I will allow my colleague from my party to ask those.

Mr Harnick: This is a very important bill, but I believe we still have to consider our position on the budget. It is also very important, and accordingly I move adjournment of the debate.

1725

The House divided on Mr Harnick's motion, which was negated on the following vote:

Ayes 10; nays 61.

Mr Nixon: Madam Speaker, I rise on a point of order. This afternoon in question period, when I put a question to the Minister of Education, I indicated that none of the teachers' professional organizations had put a brief to the select committee on Ontario in Confederation. I now find that this is not correct. On 28 February 1991 the Ontario Teachers' Federation did deliver such a brief, and in looking at the index, I understand the Ontario Secondary School Teachers' Federation also delivered a brief.

I apologize for that misinformation. I appreciate the fact that Ruth Baumann, the legislative observer for the OTF, brought that to my attention in rather a rapid and definite way.

The Acting Speaker (Mrs Haslam): The member for Willowdale has one minute and forty-two seconds left.

Mr Harnick: I still believe that we have to reflect on this budget and this very high deficit. Accordingly, I move adjournment of the House.

1759

The House divided on Mr Harnick's motion, which was negated on the following vote:

Ayes 10; nays 58.

BUSINESS OF THE HOUSE

Hon Mrs Copen: I wish to indicate the business for the week of 13 May 1991.

Monday 13 May: the committee of the whole, Bill 17, An Act to amend the Law related to the Enforcement of Support and Custody Orders. It will also be the business of the day on Tuesday 14 May.

Wednesday 15 May: second reading of Bill 70, An Act to amend the Employment Standards Act to provide for an Employee Wage Protection Program and to make certain other amendments.

Thursday 16 May: government business, second reading of Bill 70, An Act to amend the Employment Standards Act to provide for an Employee Wage Protection Program and to make certain other amendments; private

members' public business, ballot item 19, a resolution concerning sign language interpreters, standing in the name of Mr Malkowski, and ballot item 20, second reading of Bill 87, An Act to amend the Highway Traffic Act with respect to Volunteer Fire Fighters, standing in the name of Mrs Fawcett.

The House adjourned at 1803.

ALPHABETICAL LIST OF MEMBERS

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Speaker: Hon David Warner

Clerk of the Legislative Assembly: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees: Smirle Forsyth

Clerk Assistant and Clerk of Journals: Alex D. McFedries

Sergeant at Arms: Thomas Stelling

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines and to the Minister of Northern Development Vice-Chair, standing committee on Ontario in Confederation
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Hon Brian A.	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
Churley, Hon Marilyn	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	
Gigantes, Evelyn	Ottawa Centre	NDP	
Grandmaitre, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities

Name of member	Constituency	Party	Other responsibilities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Chair, standing committee on regulations and private bills Vice-Chair, standing committee on finance and economic affairs
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	Chair, standing committee on resources development Parliamentary assistant to the Minister of Energy
Jackson, Cameron	Burlington South	PC	Chair, standing committee on estimates
Jamison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chair of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	Chair, standing committee on resources development
Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Health, Chair of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
Mackenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	Parliamentary assistant to the Minister of the Environment
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
McClash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the Whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition

Name of member	Constituency	Party	Other responsibilities
North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
Rae, Hon Bob	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	S-D-G & East Grenville	PC	Second Deputy Chair of the Committee of the Whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Hon Fred	Frontenac-Addington	NDP	Minister of Government Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	

Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

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 Clerk: Harold Brown

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Parliamentary Precinct

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 Co-Chair: Noel Duignan
 Members: Dianne Cunningham, Remo Mancini, Kimble Sutherland
 Clerk: Smirle Forsyth

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First Session, 35th Parliament

Official Report of Debates (Hansard)

Monday 13 May 1991

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le lundi 13 mai 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 13 May 1991

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

HAZARDOUS WASTE

Mr Beer: One of Canada's most successful waste management programs is returning to York region and it promises to be bigger and better.

Building on the success of household hazardous waste days last October, York region will host similar events this May. Last year more than 3,500 vehicles came through the two depots. Thousands of gallons of hazardous waste, more than 1,200 car batteries and more than 500 propane cylinders were dropped off.

The first collection day took place this past Saturday at the Newmarket recreation complex and it was very successful.

On Saturday 25 May, collection depots will operate in both Richmond Hill and Georgina. These depots will be open from 9 am to 4 pm. In Richmond Hill, residents may drop off household hazardous waste at last year's collection site, the Richmond Green Sports Centre. In Georgina, materials will be accepted at the Sutton Arena on Cedar Street. Residents of York region may bring hazardous waste to any of the three sites at no charge.

Household hazardous wastes include cleaning agents, automotive fluids, pesticides, paints, medicines, solvents, batteries and a variety of other toxic, corrosive, flammable or irritating chemicals. Because of their impact on the environment, none of these materials should be disposed of in the garbage, poured down a drain or buried in the yard.

Details about the household hazardous waste program are being advertised throughout York region. Co-operating in these household hazardous waste days are the nine area municipalities in York region, as well as the Ministry of the Environment. Everyone involved is to be congratulated.

JURY DUTY

Mr Cousens: Nothing has changed with the new government's plans to choose juries a little bit better. A friend of mine whose mother was summoned for jury duty sent back a letter from the doctor, he sent the medications, and then they came back and said, "No, we want your mother for jury duty." His letter that went back to the Attorney General said:

"She is a very senior citizen, 85 years old. She is almost totally blind in both eyes, vision limited to fuzzy shapes. She has been on constant medication for depression and other problems for at least the past 20 years. She is in a delicate psychological condition and can't be subjected to stress. She requires my assistance for physical support when travelling outside her normal immediate surroundings. Her physical mobility is further limited by her age and infirmity. She neither speaks nor understands the English language."

She is another person who was almost being coerced into coming out to have attendance taken for jury duty. When you listen to that whole litany of problems that she has, it is no wonder that her son was concerned for her welfare and for the system's welfare that anyone should be asking her to sit on jury duty.

We have ended up seeing other situations arise where jurors are even questioning the Attorney General. He should do something about it. If we are going to have a selection of people from society, then let's think about who it is we are going to have. In the first summons for jury duty, a list is laid out. This woman did not pass that test, and then has had to send this letter. Let's make sure that the Attorney General takes his job seriously.

ST CATHARINES FOLK ARTS FESTIVAL

Ms Haeck: I rise today to tell the people of the province about the two-week-long St Catharines Folk Arts Festival to begin this coming weekend.

The festival will include 45 different ethnic events spread over a 16-day period from 17 May through 2 June. Those events will be sponsored by more than 20 of the St Catharines ethnic organizations. Ethnic singing and dancing, ethnic foods—you name it, the festival has got it. You can see why the festival slogan is, "See the world from your doorstep."

The events will kick off this Friday night, 17 May, with the Queen's Ball. The highlight of the second weekend will be the 25 May grand parade through the streets of downtown St Catharines. Each week night will have at least two events at various ethnic organizations around St Catharines. Each weekend will feature a variety of day-long festive events.

We urge Ontarians to come to St Catharines some time during the next two weeks. Drop by for an evening or, better yet, join us for an entire weekend. Not only can you enjoy the folk arts festival with us but you can also take in a play at the Shaw Festival in Niagara-on-the-Lake, see the beauties of the fruit trees in bloom in rural Niagara or, on 18 May, celebrate with us the grand opening of the St Catharines museum. For a weekend with something for everyone, come to St Catharines.

I hope to see all the members at the folk arts festival.

WASTE REDUCTION

Mr Ramsay: I would like to bring to the attention of the House today a very wasteful procedure practised by this government, and in this case particularly by the Minister of Culture and Communications.

I, like all members of the House, am very grateful when we receive notification from the ministers about application grants or the granting of allocations to any of our constituents, and I am particularly grateful to the minister for doing this.

But in one day last week I received 26 individual notification letters, copies of which I am happy to receive, but

26 copies of them, each in their addressed envelopes. I think this is very wasteful. I appreciate the notification, but all I would need would be a listing of all the grants that my libraries received—on a piece of paper would be fine—and that could be mailed over in one envelope rather than on 26 pieces of paper and 26 envelopes.

I would ask the minister if he would practise one of the 3Rs that we all believe in, to reduce some of this waste. It would not only free up some of these resources but it would also maybe free up some of the time that his staff, I am sure, could use doing other, more useful things.

1340

ROYAL WEEK

Mr Jackson: I am pleased to inform all members of the House that today marks the beginning of Royal Week 1991.

Royal Week is a time during which all Canadians celebrate Canada's heritage and life as a community under the crown. The varied programs and events which will be held throughout this week will serve to remind Canadians of the many benefits, political, social and cultural, that we share in and that constitute our heritage as a Commonwealth nation with the Queen as the head of state.

Royal Week festivities will end with the celebration of Victoria Day on 20 May, which commemorates Queen Victoria, the reigning monarch at the time of Canadian Confederation, and the birthday of Her Majesty Queen Elizabeth II, which is honoured on this day by the Dominion of Canada.

Many Ontario municipalities have also proclaimed the official observation of Royal Week in their communities this year, including Metropolitan Toronto, the cities of Toronto, Etobicoke, North York, Scarborough, York, Burlington, Hamilton, Brantford, the borough of East York and the town of Dundas.

The message which these municipalities and the people of this province are sending to the Premier at the start of Royal Week is clear. Loyalty to and respect for the Queen is strong in Ontario. The Premier's modern Ontario in which the Queen plays a diminishing role or no role at all is in reality an NDP fiction with no basis in fact.

On behalf of these municipalities, I again call on the NDP to reinstate the Queen's name in the police oath of allegiance. During this year's Royal Week, the Premier would do well to recall the meaning and the significance of the motto on Ontario's provincial coat of arms: Loyal in the beginning, so remaining.

FUEL SPILL

Mr Waters: Early Friday morning, the Eastern Shell tanker ran aground outside Parry Sound, which caused a gasoline and diesel oil spill 1.6 kilometres long and 150 metres wide, containing 162,000 litres of fuel. Luckily, the Canadian Coast Guard was able to contain most of the spill. However, it has been reported in today's Toronto Star that diesel fuel has floated to the south and west sides of Franklin Island, contaminating what is mostly government-owned crown land.

Environmentalists have said that there is little environmental effect on the area and the fish and the bird populations. I am pleased to hear that today the Ministry of the

Environment will be assessing this area for contaminants and environmental impact. The cleanup effort should be completed within a matter of days.

The situation is a source of great concern to me because of its potential environmental effects. The frequency of this type of environmental disaster must be addressed by all levels of government to ensure that precautions are taken to eliminate or minimize these types of spills and that measures are taken to help in the financial cleanup effort.

As reported in the Toronto Star Saturday, last year there had been a three-member panel on tanker safety which made recommendations to add a \$2-per-tonne levy on all oil products transported through Canadian waters to improve safety measures and to help with the cleanup efforts of such disasters. This recommendation has not been implemented as yet.

FREEDOM OF INFORMATION

Mr Curling: It appears that the Solicitor General is unconcerned with ensuring that his ministry complies with the requirements of the freedom of information and privacy legislation.

Five months ago, a request was made to the Solicitor General under the Freedom of Information and Protection of Privacy Act for access to information regarding the government's proposals regarding Sunday shopping. The request did not seek privileged cabinet information. It was a simple request for briefing notes and policy papers regarding the impact of the government's Sunday shopping proposals on the Ontario public.

Under the Freedom of Information and Protection of Privacy Act, the ministry has 30 days to comply with the request or provide written notice of its intention to extend the deadline for compliance. The compliance date for this request was 1 March 1991, yet to date we have not received the information requested—more than two and a half months, and we have not heard anything.

The Solicitor General will undoubtedly be familiar with the sensitivity of freedom of information, given his involvement in the problems which emerged around the police and their interpretation of the municipal freedom of information act earlier this year.

What happened to the commitment of the Premier and the NDP to open and accessible government?

POLICE SERVICES

Mr Carr: Police have been reporting a dangerous increase in the number of crimes involving firearms. During a recent seven-day period in Metropolitan Toronto, guns were prevalent in 30 crimes. The use of guns by criminals between 1986 and 1990 has increased by 149%. Just this past weekend, two OPP officers were shot as they attempted to apprehend a car thief. The members of Ontario's various police forces face these realities every day.

This week is Police Week. Police Week provides us with the opportunity to pay tribute to Ontario's law enforcement officers. Theirs is not an easy job, but a thankless job. Considering the above, it is important to

demonstrate to members of our police forces that they have our unqualified support.

In order to learn more about our communities and to show support for our local police, members of the Progressive Conservative caucus will be visiting police stations and in many cases actually going out on police patrols.

The police forces of Ontario have implemented measures designed to ensure that the police and individual citizens work together in their pursuit of law and order in a manner that is effective, responsive and sensitive to the realities of our changing community.

The reality is that our police forces are among the most modern, effective law enforcement agencies in North America. Yet our police forces are under siege. The NDP, in order to cater to a few vocal minorities, has undermined the morale of the forces and brought their integrity into question.

Law and order must become a focal point of this government.

ENVIRONMENTAL PROTECTION

Mr O'Connor: On 7 June and 8 June, the South Lake Simcoe Naturalist Club will be holding a conference in an attempt to draw public attention to the deteriorating environmental quality of the Lake Simcoe watershed. The main focus of this conference will be how to change people's attitudes and actions within the watershed to ensure that the lake will be healthy for future generations.

The aim of the conference is to support prompt action by this province on the implementation of the Lake Simcoe environmental management strategy. The conference will also help to establish goals and firm timetables for action for the elimination of watershed erosion, runoff and phosphorous pollution within the lake.

To add a positive frame to tackling the enormous challenges faced in the conference, the South Lake Simcoe naturalists will be holding a festival throughout Environment Week from 2 June to 8 June. The festival will have such activities as hiking, biking, bird-watching, an art exhibit, tree planting and others.

The conference will take place in the town of Georgina at Lydia's Restaurant and Conference Centre at Lyndhurst Park in Baldwin, right on Highway 48, six miles south of Sutton.

Many important workshops have been scheduled covering such topics as fish and wildlife, water quality, environmental management and the environmental citizens' movement. I will be participating as a panellist giving the opening remarks and I invite all members of the House to join me at this important event.

In closing, although the event is an important part of Environment Week, we must all remember that Environment Week is every week.

VISITORS

The Speaker: I would like to ask all member of the assembly to welcome this afternoon, seated in the Speaker's gallery, Pompeo Tranquilli, the mayor of Pescara, Italy, and three of the city councillors from that city of Pescara.

1350

STATEMENT BY THE MINISTRY

DRINKING AND DRIVING

Hon Mr Hampton: I am very pleased to be able to inform my colleagues in the House about a concentrated, province-wide, anti-drinking and driving campaign.

For the second year now, the Ontario Community Council on Impaired Driving has designated this week as Arrive Alive—Drive Sober Week. The week starts today and runs until the end of the Victoria Day weekend on 20 May.

The Ontario Community Council on Impaired Driving, created in January 1990, is made up of volunteer representatives from some 40 different organizations throughout the province which are involved in activities to fight impaired driving.

Community action is an extremely important element in confronting the problem of drinking and driving and this council ensures that there is co-operative government and community action.

During the past fiscal year, the drinking/driving countermeasures office of the Ministry of the Attorney General provided over \$200,000 in support funding for 26 prominent anti-impaired driving groups which are active throughout the year. I am particularly pleased to note that the number of high schools in the province participating in the Arrive Alive school-year program has again increased from 117 schools last year to 134 schools promoting this important message among their peers in the 1990-91 school year.

This summer, the Ministry of the Attorney general will provide funding, in 30 to 35 locations across the province, to hire two high school students per community for the months of July and August. These students will continue the work started this week and will promote public awareness during the dangerous summer months.

Community groups and the provincial government will not be the only ones active during the Arrive Alive—Drive Sober Week. A request has been sent out by the Premier to all municipal and regional councils to declare their support by proclaiming Arrive Alive—Drive Sober Week in their communities. Last year approximately 100 municipalities declared their support and we expect the number to increase during this year's campaign. Corporate sponsors are also playing a role promoting Arrive Alive—Drive Sober Week by delivering anti-drinking-and-driving messages.

Arrive Alive—Drive Sober Week is really the highlight of a larger year-round effort to reduce impaired driving. I am happy to report to the Legislature that our determination appears to be paying off. Recent statistics from the 1988-89 Drinking and Driving in Ontario Statistical Yearbook, produced by the countermeasures office of the Ministry of the Attorney General, show that in 1980 police reported 30,101 drivers as "had been drinking" or "impaired." In 1989 police reported 42% fewer drinking drivers, that is, 17,488 fewer.

Many members in the Legislature have worked to help realize this reduction. The figures are even more significant when we consider that there has been a 26% increase in the number of people licensed to drive in Ontario from

1980 to 1989, from 4.99 million to 6.29 million. One of the most reliable indicators of alcohol involvement in traffic crashes is the percentage of automobile driver fatalities with a blood-alcohol content over the legal limit of 0.08. Of those drivers tested in 1980, almost 50% were over the legal limit. In 1989, only 30% were over the limit, the lowest figure reported since these data became available in Ontario.

Finally, I am pleased to inform the House about our new anti-drinking-and-driving media campaign. In conjunction with Arrive Alive—Drive Sober Week, two powerful 30-second television advertisements will be released this week. These ads are combined with exterior transit vehicle ads and some selected print media.

This year's theme is the same message as last year's, "You can lose a lot more than your licence drinking and driving." Based on research, we are still targeting young male drivers, who have always been the worst offenders. This year, however, we are aiming one of the ads more particularly at the older 25- to 34-year-old male. Our research shows that 25- to 34-year-olds accounted for the largest percentage of drivers impaired by alcohol—38% in 1988 and 1989, followed by 16- to 24-year-olds at 26%.

Since the early 1980s, peers at school, community groups and the government have been sending a message to the young men in the 16- to 24-year-old age group and we can now see that this message has registered. They have reduced their involvement in alcohol-related crashes at a rate faster than any other age group, but research also shows that we must continue to reinforce and remind them of this message. This will ensure that their resolve not to drink and drive continues.

It is our intention to continue to remain active in all efforts to reduce the death and destruction caused by impaired drivers on our roadways.

RESPONSES

DRINKING AND DRIVING

Mr Sorbara: I guess the best thing that could be said about the announcement of the Attorney General today is that in making this announcement he has carried on in a tradition that was established by the former Attorney General, the member for St George-St David, in maintaining the Arrive Alive program and the Driver Sober Week. But it is interesting because the government—the Attorney General, the Solicitor General and the government in general—has come under some criticism, I think unfounded, suggesting that they have actually been destabilizing police forces in Ontario. I reject that criticism, but I want to say to the Attorney General, the Premier and the government generally that choosing to make an announcement today about the Arrive Alive program and the Drive Sober Week, and not making an announcement about the fact that this is also Police Week, sends a certain signal to police officers around the province.

The other interesting thing is that the Attorney General could have made announcements on a number of things today and he did not. What is surprising is what the Attorney General is not doing. The Attorney General should know that the rate of homicide in Metropolitan Toronto

this year is up fully 100% and that gun control in Ontario is an absolute shambles. I tell him that his newly appointed police commissioner of the Metropolitan Toronto Police Force, Susan Eng, stated on the radio this morning that it is so easy to buy a gun in Metropolitan Toronto that the criminals do not even bother to try to smuggle them in.

The government has ordered an RCMP investigation into the activities of the Solicitor General and presumably of the Attorney General and his ministry as well, and we have not heard about that.

There has been public criticism of the jury system and there is no announcement about what the Attorney General is doing about that.

The courts themselves are still so backlogged that the Attorney General should realize that he is running out of time in the very time frame he established for himself to deal with court backlog. Indeed, it is a great irony that today he would be celebrating Drive Sober Week and the majority of the cases that are getting thrown out of court, because of court backlog, are charges of impaired driving. What the Attorney General should be doing when he stands up today is telling us how he is going to make sure that the charges being laid by policemen are actually getting to the courts and being prosecuted. It is a sham to think that we would invest so much money in videos and community discussions to promote the eradication of drinking and driving when, at the same time, when our police officers are pressing charges those cases are going to court and they are getting thrown out of court.

There are a number of other things the government should have been announcing today, and we have yet another announcement about another week that we are going to be celebrating in the province. For example, the Minister of Labour is apparently undertaking some discussions to bring about dramatic changes to the Ontario labour relations goal. The Minister of Labour was quoted this week-end as saying, in effect, when he brings forward his policies all hell is going to be breaking loose. Why do we not have a statement by the Minister of Labour in this House today about what it is he is proposing? It seems to me that the only news is that private sector business has walked out of those consultations and yet we get these announcements in the paper. We have no idea what is going on, and community by community business leaders are taking a pass when it comes to investment because they do not know what the Minister of Labour is doing.

We do not even have an announcement today by the Premier about how he is going to get this Legislature back at work. My friends to the left, the Tory party, have destabilized this Legislature for the past three weeks, I think it is, and yet we have no program from the government to get us back down to business, no indication about how it is going to make this Legislature work again today. It may well be that we are going to have yet another day of the reading of lakes all over the province from the leader of the third party. And what do we get from the government? We get an announcement about the continuation of the Arrive Alive—Drive Sober Week. We support this. What we do not support is the fact that the government has now

had several months in this Legislature to get us out of the recession. What we have is really nothing at all.

1400

Mr Harnick: I have had personal contact with people involved in motor vehicle accidents as a result of drinking and driving. I have seen families that have been devastated when someone is killed by a drinking driver. I have seen devastating personal injuries inflicted as a result of people drinking and driving. I have seen the aftermath of collisions involving drinking and driving at first hand. The aftermath of such an event is not a pleasant thing to see.

The problem we have is that we have had too many exercises in public relations and not enough action. John Bates, president of PRIDE and whose face is probably well known to every member in this Legislature, has spoken to virtually everyone here to urge them to implement certain programs to reduce impaired driving everywhere. Most of his requests have fallen on deaf ears.

I urge the government to stop concentrating on public relations and start concentrating on definitive programs of education, enforcement, charges and conviction. Unless that is done, these public relations announcements will not help anyone in this province.

Mr Runciman: In response to the same statement from the Attorney General on the Arrive Alive program, we in the Conservative Party are very supportive of the program. At the same time, we are somewhat concerned about the government's lack of action with respect to innocent accident victims in this province and its failure to act on the Liberal no-fault plan brought in last June.

We had very serious expressions of concern by that party's member for Welland-Thorold as a backbencher and later on as a minister of the crown, but we have seen no commitment on the part of the Premier and no caring in respect to the views he expressed last August about innocent accident victims in this province. If the Attorney General and the current government of Ontario are genuinely concerned about innocent accident victims, I think they are going to act very quickly and they are going to act to restore the right to sue.

In jurisdictions that have brought in no-fault insurance—and the Treasurer is a very strong supporter of pure no-fault—we can take a look at Quebec where an analysis was done. Under pure no-fault insurance, accidents tend to increase, especially fatal accidents. If indeed there is genuine concern, let's see this government act quickly. If they care about innocent accident victims, it is long overdue now to restore the right to sue.

PARLIAMENTARY PROCESS

Hon Miss Martel: I have a point of order, Mr Speaker. The point of order is very substantial in nature and very lengthy, therefore I would like to distribute copies of my remarks to you, to the members of the table, to the opposition leaders and to the House leaders for both opposition parties.

Mr Scott: Think of your father when you read this and how he'd react to it.

Hon Miss Martel: The same way I intend to.

Mr Speaker, I rise today on a point of order which I trust you will consider. My point of order is that the constant use of repetitive motions for adjournment of debate and adjournment of the House should be ruled out of order as an abuse of process and we should get on with the business before the Legislature.

My remarks focus on two points: first, that what has transpired in the House over the last number of days is an abuse of process and of democracy; and second, that you as Speaker have an inherent authority and duty to prevent such abuses of process from bringing the work of the House to a standstill.

For the last six days the business of this House has been held up by repetitive motions for adjournment of debate and adjournment of the House. It is our view that the third party is not willing to halt its hijacking of the Legislature. These tactics are an attempt by the third party to accomplish the goal articulated by the leader on 6 May 1991 in this House when the member for Nipissing clearly stated to this House, "People know where I stand on the budget; I am not going to let it pass." This statement and the ensuing procedural tactics show a total disrespect for the democratic process.

The House leader for the third party will undoubtedly argue that his party is merely exercising its legitimate right as opposition to stall debate until the government agrees to send the budget out to the standing committee on finance and economic affairs for public hearings.

Yet on 8 May 1991 when the Premier suggested that the budget bills would be debated in committee, the leader of the third party, as well as calling the Premier a dictator, replied that it would serve no purpose at all because the NDP has a majority on the committee.

The leader of the third party knows that any matter related to the budget can be raised in committee in the debate on budget bills. What he opposes is that the NDP has a majority on those committees and that at the end of the day will vote in favour of the government, a practice that has gone on for years in our parliamentary tradition.

Further to our concern with the Tory tactics is the fact that the third party began this blockade, not only of House work but of all committee work, with no prior notice to the government. Before coming into the House to pose the question, the leader of the third party did not ask the Premier whether he would consider public hearings on the budget. Their House leader never asked me, nor did the Treasury critic ever approach the Treasurer.

The Conservative tactics have had nothing to do with bringing out alternative points of view on the budget, often the goal of delaying tactics by the opposition. In fact, in the budget debate the leader of the third party has the floor. But he refuses to exercise his right to debate and orders his party to repeat dilatory motions for adjournment of debate and of the House. His actions mean that there has been very little debate on the budget in this House despite public interest in the NDP's first budget. Both the government members and the members of the official opposition have had their right to debate in the House taken away by the repetitive use of dilatory adjournment motions by the minority third party.

The present delaying tactics are unprecedented in that they are preventing debate on the government's budget. They also follow on the heels of attempts to block previous government legislation. For instance, the third party attempted a filibuster on our rent review moratorium legislation. A time allocation motion had to be moved to end this debate. The Tories appear determined to ensure that none of the government's programs will get through.

While the leader of the third party may dislike the results of 6 September 1990, the New Democrats did win a majority of seats. In our parliamentary democracy, that gives the New Democrats a right and a responsibility to govern.

The Tories have not only stopped debate on Ontario's budget; they are also preventing any government legislation from being passed including the wage protection fund, which will provide moneys to deserving workers, and Bill 17, support and custody orders enforcement, which will ensure that payments owing to single mothers are received.

Furthermore, the Tory tactics have meant that little committee work is taking place. The Tories will not even allow the select committee on Ontario in Confederation to meet at night to consider its work. This committee and others have had to turn away witnesses who have travelled great distances to come and speak. The Tories are preventing the public and the government from developing a consensus on Ontario's role in Confederation at a critical point in this country's history.

Mr Speaker, as you are well aware, the New Democratic Party has spent considerable time in opposition. The NDP is sensitive to the position of the opposition and is aware of the importance of protecting the rights of the minority. In order to carry out its function, the opposition must have the tools it can use to allow time for other voices to be heard on issues. However, this does not mean that these tactics can or should be used without limit. The government must also be assured that it can get its program through in a reasonable length of time.

As the Liberal interim leader said in the House on 7 May 1991, when he was disassociating himself from the Conservative call for public hearings on the budget,

"In government and in opposition, we have felt that the government of the day should be able to put forward its plans, have them debated and have them settled democratically."

Ultimately, we are all here to govern and to take care of the needs of the province. People did not elect any of us to ring the bells interminably, to waste time or to waste their tax dollars. Common sense tells us that the kinds of procedural tactics that have been used in the past weeks are not appropriate.

1410

Procedure does not exist only to protect the rights of the minority. It exists to balance those rights with the rights of the majority to govern. Balance is the key, and balance and reasonableness are what has been missing in the past two weeks. Professor C. E. S. Franks has written in his book, *The Parliament of Canada*:

"The purpose of parliamentary procedure is not to ensure that every member can say as much as he wants on every topic, or that groups or individuals can prevent

decisions which they do not support from being taken, but to ensure that there is a balance in discussion between the holders of power and citizens, that on the one hand the majority does not have the power to prevent discussion, reconsideration and change, while on the other hand a minority cannot immobilize the whole system."

That a minority in the Ontario Legislature has immobilized the whole system is a statement of fact. That this immobilization of the Ontario Legislature by the third party is an abuse of process and an abuse of democracy is, in my submission to you, Mr Speaker, very clear for all of the reasons I have just outlined.

The question that remains is whether you as Speaker can and should take action to prevent this hijacking of the Legislature when the standing orders do not explicitly support or condemn the procedures being utilized by the third party. In my submission, Mr Speaker, you do have the authority to end this procedural impasse and you should use your authority to restore the integrity of the processes used in this chamber.

Mr Speaker, the repeated use of dilatory motions for adjournment of debate and the House is a very old tactic. Its use in fact brought about the first closure motion by a Speaker in the chair. The ruling by the Speaker on this occasion, on 2 February 1881 in the House of Commons in London, dealt with the same situation that you are faced with here. In this case the Speaker used his discretion to end what he considered an abuse of process. The ruling is so apt that I would like to read it you:

"The motion for leave to bring in the Protection of Person and Property (Ireland) Bill has now been under discussion for about five days. The present sitting, having commenced on Monday last, at four o'clock, has continued until this Wednesday, a period of 41 hours, the House having been occupied with discussions upon repeated dilatory motions for adjournment. However prolonged and tedious these discussions, the motions have been supported by small minorities, in opposition to the general sense of the House.

"A crisis has thus arisen which demands the prompt interposition of the Chair and of the House. The usual rules have proved powerless to ensure orderly and effective debate. An important measure recommended in Her Majesty's speech nearly a month since, and declared to be urgent, in the interests of the state, by a decisive majority, is being arrested by the action of an inconsiderable minority, the members of which have resorted to those modes of 'obstruction' which have been recognized by the House as a parliamentary offence.

"The dignity, the credit and the authority of this House are seriously threatened and it is necessary that they should be vindicated. Under the operation of the accustomed rules and methods of procedure, the legislative powers of the House are paralysed.

"A new and exceptional course is imperatively demanded, and I am satisfied that I shall best carry out the will of the House, and may rely upon its support, if I decline to call upon any more members to speak, and at once proceed to put the questions from the Chair. I feel

assured that the House will be prepared to exercise all its powers in giving effect to these proceedings.

"Future measures for ensuring orderly debate I must leave to the judgment of the House. But I may add that it will be necessary either for the House itself to assume more effectual control over its debates, or to entrust greater authority to the Chair."

Mr Speaker, the issue of the House assuming more effective control over its debates we will leave for another day. It is unfortunate that the rules that govern debate in the Ontario Legislature, the standing orders, can be manipulated to delay proceedings to the point of blocking all government business, as has been occurring over the last few weeks. The ability to deny the right of the majority to govern does not exist either in the federal or British parliaments.

However, today we are asking that you as the Speaker use your discretion to rule in the interests of the House and all its members.

On 14 April 1987, the Speaker in Canada's House of Commons spoke at length about a Speaker's discretionary power. He made reference to the above-mentioned ruling of 1881, which ended the paralysis of the British House, as part of the centuries-old tradition that supports the use of discretion by the Speaker. He succinctly summarized his position in this way:

"There comes a time when the Chair has to face its responsibilities. When circumstances change and the rules of procedure provide no solution, the Chair must fall back on its discretion in the interests of the House and all its members."

Today we are asking that you, as the Speaker of this House, use your discretion to rule in a way that will end the present impasse in this House in much the same manner as the Speaker of the British House did on 2 February 1881 and the Speaker of the Canadian House did on 14 April 1987. We are specifically asking you for two rulings that would bring the practice of the Ontario House more closely in line with practices of other Houses of Parliament. These are as follows:

First, we respectfully request your ruling that the mover of an unsuccessful dilatory motion to adjourn the debate or adjourn the House loses the floor for the remainder of the debate on the matter under discussion, as is the case in both the Canadian and British House of Commons.

Second, we respectfully request your ruling that you as Chair have an inherent discretionary authority to refuse to put the question on a dilatory motion where in your opinion such motion is an abuse of the procedures of the House.

Alternatively, should you find for any reason that the specific rulings we have requested are not appropriate, we would ask that you use your judgement in formulating a response to the present impasse in the Legislature that is duly respectful of both the rights of the majority to govern and the rights of the minority to oppose.

Mr Elston: While I recognize that we have been struggling for some time with the issue of getting on with the debate around the budget and the paper and there is a disagreement between my friend the member for Nipissing and my friend the member for York South which has really

fallen into one of those childhood-like tantrums which has brought this place to a standstill, I think it is a little outrageous that the House leader for the government party today stands and places the burden of solving that particular childhood-like dispute on your shoulders.

I very much find it offensive that they are looking to you, as the elected and the seen-to-be-evenhanded administrator of all of the rules, to remind you of your responsibilities and the requirement that you have to maintain order in the House. If this is the type of activity the government House leader has in mind in trying to resolve what has become a very difficult situation for all of us, because we would prefer to get on with business, I would suggest that she should probably consult other authorities with respect to what can be done to resolve the impasse of the day.

It is not difficult to come to some sort of conclusion that would lead to successful discussions, even if it has to be face-to-face between the leader of the third party and the leader of Her Majesty's government. It cannot for me, Mr Speaker, be seen to be even and fair and just in the people's assembly to ask you to drop the closure on all those of us who have not yet had a chance to speak at all on some of the very important issues. I remind you, Mr Speaker, that we spent some days wrestling with Bill 4, which was a very difficult bill to deal with in this House, and at the time the closure motion fell at the behest of the member for Windsor-Riverside, we in this party had been unable to effectively allow as many of our speakers to perform as is necessary.

While you, Mr Speaker, are being asked, again on your own notion, to prevent certain of the members of the third party from speaking too long or putting too many motions in front of you, I would assure you that it would be a matter of course that if you felt, or if it was felt by the government party, whose numbers speak for themselves, that we were taking too long in expressing our opinion, they would likewise weigh upon your courage and ask you to cut us off and prevent us from putting our piece as effectively as we should.

1420

There is no question that the remarks of the House leader of the government party have been directed more specifically towards the third party—I understand that the difficulty is between the government and the third party—and in fact have even resorted to the highest authority and quoted our interim leader, the member for Brant-Haldimand, and effectively have seen the tradition of parliamentary government here rest with the Liberal Party at a very high level indeed.

One of the primary difficulties with this point of order, if you find it to be such, is that they are asking you, on your initiative, to become something less than impartial. In fact, you are asked to intervene on the side of the government to help force through its business on a day-by-day basis while the rest of us, whose duty it is to oppose, constructively or otherwise as the times may necessitate, are left as a minority without any authority on whom we can rely.

I find, Mr Speaker, when the lecture has been given to you and your Chair, and when they remind you of the weight of the office which you bear, that this is just a first step in a minority's very dismal future prospects at the hands of a very pushy and arrogant majority. This is but a first step in ensuring that Her Majesty's loyal opposition will not be able to effectively put pressure on Her Majesty's government because we have a different point of view. Are there substantial differences of point of view? Mr Speaker, I will advise you that there are indeed substantial points of view, differences between and among the parties.

We believe in an economic system that has done well by all of us, and there are substantial steps being taken by the government to impose a new order which throws away the economic vitality that has been Ontario up to this present time. There will be an extended debate required to talk about that. But with this sort of instruction falling on your shoulders, given by the majority House leader, it will be a very precarious position you will find yourself in if you allow the debate to go too long.

They elected you, Mr Speaker; they may determine to unelect you. I do not think this sort of instruction from the House leader of Her Majesty's government party is therefore sufficient to cause you to even consider it as a real point of order. It may in fact be a point of view. They may in fact be looking to the Chair to bail them out of the difficulties which an assertive and very proud government party wishes to avoid: some kind of compromise with the meagre remnants of the Conservative Party now in third position in this House. But the rules of this House prescribe that there shall be ample time for the voice of the smallest minority elected here in this Legislative Assembly to be heard on the floor. Yes, indeed, if the member who is an independent at this point stands in his place to speak, he ought to be able to speak. It is your duty during the debate on bills and during debate on other matters to recognize that member if he stands, although he represents but one of 130.

It seems to me, therefore, that you should throw out this material, but if you should decide this is a valid point of order that you wish to consider, could you please allow those of us in Her Majesty's official, loyal opposition to submit written reasons and remarks about why we think that you should not make a positive decision on the request by the government House leader.

It is fairly clear that this material was well researched. Although the heat of a very beautiful May weekend perhaps pushed them quickly through some of their authorities, because we find them relatively weak, I think it is none the less imperative that you allow Her Majesty's official opposition to reply effectively to this written material.

We could have received notice of this. We could have been able to respond much better. I, being very short of words and unable to respond fully to all the material here, would wish to respond much more fully to protect the rights and the privileges of the members who are represented here in the Legislative Assembly under the Liberal Party banner. I would even speak to assist my friends here to my left, philosophically to my far right, but they likewise can speak for themselves. But I do wish to point out

the danger this entails for the Speaker, who is needed here in the people's assembly.

It is but a first step. I suspect, Mr Speaker, that this will be the first shot and then we will see several motions which will prevent us from fully examining the legislation which is about to be brought before this House. They will tell us how long we can speak and how many of us can speak, and they will be asking you and the Chair and those people who are assisting you in the Chair to shut us up. Mr Speaker, that is not proper.

That party has a history even longer than ours of doing funny things to the procedures of this House in holding up the business of the day. At one time, the member for Nickel Belt prevented the reading of the budget. My friend the member for Welland-Thorold is known for his long, long speech in the Legislative Assembly wherein he read nothing but telephone numbers and messages being called in to him so he could keep on his feet. But not once did we stand and say to the Speaker during our trials, "Mr Speaker, it is your duty to take us out of this." We acted with resolve. We had to take the action as the government party, and we took that as a responsible party and said, "The business must proceed."

If there were no other way out of this dilemma, perhaps, by stretching the imagination, it could be said that the Speaker owes a duty to the people of the province to take them out of it. Well, there is a way out of this dilemma. The member for York South and the member for Nipissing could come together and they could resolve to allow this matter to go out even briefly, or even to craft a press release—because I know the government has legions of craftspeople who are able to make nice press releases—which would make them both look good and they could send it out to their party faithful and whomever they want.

Mr Mahoney: I don't think they can do that.

Mr Christopherson: Didn't work for you.

Mr Elston: Listen, we won a great battle. But whatever it is, I will in fact even help them put it together if they would just get their heads together. Why in the world, when they cannot be bothered talking to each other face to face, would they visit this on your shoulders and ask you to lose the station and the position of Chair? Because when you make the first move, I suggest it will be then taken a second step and a third step as the leader of the government party stands in her place and provides you with marching orders in this Legislative Assembly.

Mr Cousens: This is the most serious moment of the 35th Parliament. There is no doubt that there is no more serious a moment than this, when a majority is about to try to take away the rights of the minority in a Parliament. In this, the 35th Parliament, I see this as a major opportunity by the government to bring its power into focus, using the Chair against the opposition to achieve the government's ends.

There is nothing light about this presentation that has been made by the government House leader. It is in breach of the basic rules that have been agreed to by all parties in the development of the standing orders of the Legislative Assembly.

Our party has expressed, as the government has rightly said, extreme outrage at the budget that has been tabled by the Treasurer and Minister of Economics for the province of Ontario. We have no desire to break any rules that are established by the Legislature. The rules of the Legislature are of long standing, they have been agreed to by all parties, and they make it very clear what we can do. I believe that up to this point the Chair and the deputies who have been in the Chair have recognized that we on this side of the House are taking very seriously our responsibility. There is no doubt, if you look at what the conduct of business is as defined here, that it is exactly what we have been doing.

I think, Mr Speaker, if you look at the statement that has been presented by the government House leader, the government House leader is trying to make a case when there is no case. The case is the fact that we are living within the rules of this House, which are well agreed to, and the government is about to try to force upon the House another set of rules that have not been considered before.

1430 It would be absolutely hilarious if it were not necessarily so sad, the fact that the government, when it was in opposition, used every device and technique possible to try to draw attention to the issues and in so doing was able to articulate a concern that otherwise it felt could not be expressed.

In our position as the Progressive Conservative caucus in Ontario, under the leadership of the member for Nipissing, we have decided that there is a major need for public hearings on this budget. There needs to be the openness that was declared by the Premier and his government when they took power. We are not seeing that consultation now. We want to make sure that the public has a chance to consider the ramifications of this budget. It is beginning to be felt.

The whole process of this House is one in which the government decides the agenda. The agenda is such that there will be a budget and six days for a debate. Then following that we get on to the rest of the agenda of the government. When in fact there are other bills that come out of that budget, this House does not normally start to debate them until December, at which time the public at large is thinking of Christmas and other things. They have already started to pay the new billion dollars in taxes. So at that time it is a non-issue by virtue of the public. They have grown to accept the recommendations of the budget.

The government is able to use its majority and the time allocation that we have in December because everyone is ready to leave this place. So the debate on the budget virtually ends after the six days that are allocated to it in this House.

The fact of the matter is that it is far too important an issue for us to think that we can deal with the budget just in a few hours in this House. There needs to be the opportunity for our caucus to express that concern in a reasonable way and within the guidelines that are defined by the standing orders of this House.

The fact is that this government House leader has come forward today without giving any notice of what she is

doing. I think that our leader gave very immediate notice of his unhappiness with the smiling budget that the Premier and the Treasurer presented. To them it was a laughing affair. To us it is something to lament and to cry about, because indeed there is something happening in this province, and if we do not stand up to it, the Liberals will not stand up to it and neither will they.

Who else can stand up for the rights of the people of Ontario? We are standing up right now. The government is not standing up for anything. They are standing up there and shoving it right down the throats of the people of Ontario. If we as Conservatives who believe in a social conscience and a strong economy do not make that statement, if we do not stand up, who can stand up for what we believe in? The government will not do it; the Liberals will not do it.

Mr Speaker, I apologize for the emotion that comes from my heart, because I did not have all weekend to prepare one of the longest points of order that we have ever seen in this House. I have not had the time to go back and dig into the history of the British House of Commons, into 2 February 1881, well over 110 years ago. If you talk about digging, that is what the government has had to do in this case, and what it has dug out is something that is not related to this House.

If we are going to deal with the history of this Legislature, we have reached a point where we have together developed standing orders that have a history of their own for this Legislature. You as Speaker have been selected by this House to interpret those orders. We on our side of the House beg of you an indulgence that is the test of your seat as the Speaker in this House, that should you in your position give credence to the points that have been presented by the New Democratic House leader, you will indeed be moving towards a decisions that takes away—and this is the fundamental point.

Mr Drainville: Unprincipled.

Mr Cousens: You cannot stand to hear it, can you? You cannot stand to let someone else speak. People are elected in this province to make a presentation and you—

Mr Drainville: Unprincipled.

Mr Cousens: I think it is absolutely intolerable that a person is elected to represent a riding in the province of Ontario, wants to make some points on what I believe is one of the most important issues in this House, in the 35th Parliament, and the rump of the New Democratic Party will not allow me to continue. Are the socialists not about to let me—

The Speaker: First of all, it is most helpful for the Speaker if indeed he is able to receive advice from different members. It would probably assist the member for Markham if he would direct his remarks to the Chair and if others on the government side would do him the courtesy to allow him to present his remarks.

Mr Cousens: It was the warmest weekend, but it is the coldest day for democracy that I have seen in the province of Ontario.

Hon Mr Cooke: Boy, with one-liners like that, you are going to go a long way.

Mr Cousens: I think you are just showing abuse of the House, not only with the House leader's point of order but with the interruptions you are making when I am trying to address this concern. I would say it is arrogance, and the New Democratic Party will stand judged for trying to take away the democratic right of the people who are duly elected in Ontario.

The Speaker: Would the member for Markham address his remarks to the Chair, please.

Mr Cousens: Mr Speaker, as you review the recommendation made by the government House leader I trust you will also look back into the history of this House when in fact it was the New Democratic Party at that time, when it was in opposition, that was trying to make its own statement and refused to allow the government the right to read the budget.

When it talks about things that were not preceded, it is in my mind a hypocritical type of act for a government that wanted to have public hearings in 1982 when the present Premier was then leader of the third party. He was calling for public hearings on the budget at that time. Now when someone else is in a similar position and is asking for a similar kind of hearing, we are being stonewalled by the government for such a simple approach to openness and public discussion.

The fact of the matter is that in 1990 the New Democratic Party refused the right of the government to read the budget. Now we are seeing a government that is going into the largest deficit ever in the history of Ontario. Are we in opposition are to allow it to slip by? That will not be the case.

By using the standing orders of this House, we are anxious to make sure that this government understands our request and our desire. There is no doubt that the New Democratic Party has not had the mandate for this kind of action. Three people in eight have given them that power, yet now the people of Ontario may as well just go and put a bushel over their heads because for the next four years the government is going to do everything it can to stifle the opposition, refuse the opportunity for us to deal with it and then just go and do what it wants willy-nilly.

I have to say, Mr Speaker, in reviewing this pointless point of order, that if you decide in favour of the government on this issue, you will be casting a very heavy stone against democracy and against our opportunity to present fair and honest and open debate on something that is fundamentally important to the long-term benefit of Ontario. I beseech you not to make a speedy decision. In fact, I beseech you to consider very seriously the rights of opposition in your consideration of this very important matter.

1440

Mr Sorbara: On the same point of order raised by the government House leader, Mr Speaker: I anticipate that in conjunction with the request of our House leader, you are going to be deferring your decision on these very extraordinary requests that are being made by the government House leader and that you are going to be providing some time for opposition members to be heard on these motions and at the same time allow for written submissions,

certainly from our party and, I presume, from the third party as well.

If it turns out that you are prepared to reject this point of order entirely at this point, then obviously there would be no need for my comments, and if I see you rising and about to do that, I certainly will yield the floor to your judgement if you are about to make a ruling of that sort.

In the absence of that, I do have some comments to make about the substance of the requests made by the government House leader and the authority upon which the government House leader is basing these points of order.

Might I begin by pointing to the first paragraph of the statement by my friend the government House leader, where she suggests that you should take the rather unusual step of ruling "out of order as an abuse of process" the various tactics undertaken by the third party and that we should, under those circumstances, get on with the business of the House. If I might just quote the government House leaders, she has said:

"First, that what has transpired in the House over the last number of days is an abuse of process and an abuse of democracy; and second, that you as Speaker have an inherent authority and duty to prevent such abuses of process from bringing the work of the House to a standstill."

First of all, I do not think it is necessary for me to remind you, but I will remind you, that these very rules require you as Speaker to govern your governance of this House based on these rules. You would know the rules very well, but if any other member checked the rules no member would find in the rules, an inherent authority on your part to intervene in the debate and the dilemma that presently grips this House. So my first submission to you is that the idea of asking you to intervene based on some sort of inherent authority not founded in the rules is in itself an abusive suggestion made to this House.

Second, the government House leader has, I think, the audacity to suggest that there is in what has been going on here over the past few days an abuse of democracy. To me democracy is rooted in my right to stand up in this House as the representative of some 200,000 constituents in my riding and express my opinion freely. If my opinion happens to be the opinion of the member for Nipissing, that the House should now adjourn, I can express that opinion and this House can express its opinion by way of a vote. That is not my view. My view is that this House should get on with its work, but certainly it should not get on with its work by the intervention of the sort that is being proposed today by the government House leader.

Before I take us and the members of the House to a substantive analysis of the three requests being made, I think it only appropriate to review some of the history of the very party that is now asking for an intervention of the sort that is unprecedented, at least in my time in this House, and based on most substantive authorities, in this House in the history of our province.

Let's look at what the New Democratic Party did in opposition. Mr Speaker, at that time, during certain of those debates, you were a member, but you were defeated in 1987 and so you were not here for some of the most

outrageous tactics that this House has ever seen. We were involved in a very difficult debate in this House over the question of what rules should apply to Sunday shopping in the province of Ontario. The member for York South, now the Premier of Ontario, said that he would oppose this motion with every legitimate means. I want to remind you what those legitimate means were.

Not just for six days, but for days and days and days in this House we were unable even to get to the orders of the day because those members chose to stand up and for some four hours every day in this House read petitions. Those petitions could have been read in a matter of five minutes. They could have been collected together and they could have made the point that some 10,000 people had petitioned. But did they do that? No. What they did was divide them one by one, for hours and hours and hours each day. There were countless interventions by the Speaker to the effect that it was unnecessary for the individual members to read the whole body of the petition. Nevertheless, notwithstanding those interventions by a very competent Speaker requesting that the members of the New Democratic Party not read the body of the petition, they went on and did that for days and days.

Why did they do that? Because they thought that by doing that they could somehow prevent the government from considering the legislation. The legislation was considered. It was finally debated after all of those tactics, far worse than the tactics we see now from the member for Nipissing, yet we went on and on to listen to those petitions.

What happened with those bills, Bill 113 and Bill 114? They were considered by the House. The government of the day, our government, had a majority and the bills were passed over the objections and the votes of the now government party. Those bills were reconsidered by the Supreme Court of Ontario and the Ontario Court of Appeal and were found a few months ago to be constitutional in their nature. The very government that read petitions day after day to block their inclusion, the very minister, the Solicitor General, who is now under investigation, stood up in this House and celebrated the fact that those bills were held to be constitutional. That is the kind of hypocrisy that characterizes the notice that is being presented by the government House leader today.

In 1988 I presented a bill in this House, Bill 162, dealing with the reform to the workers' compensation system. Once again the member for York South stood up in this House and all around the province and promised that he would intervene and block the passage of Bill 162 with every legitimate means at his disposal.

What did we see in that debate? Not two or three or six days of tactics, but tactics that brought this House into the unusual circumstance of sitting right through the month of July, based on a campaign led by the very person, the member for Sudbury East, who is now the government House leader. She was the champion of that endeavour. Now what do we see? We see her standing up and asking you, sir, to take steps that have never before been taken by any Speaker in the history of this Legislature. They now ask you to intervene to allow them an easier time in passing their legislation, notwithstanding the fact that when

they speak in public places, they champion principles of democracy.

I do not need to go over the details involving the blocking of the reading of the budget by the member for Brant-Haldimand a couple of years ago in this House, but talk about arbitrary activities. What the member for Nipissing is asking for is rather simple, and I believe it could be negotiated if the Premier would just pick up the phone and call the member for Nipissing and try to negotiate a settlement of this business. Two egos the size of this very room are having a dispute, so what do we have? We have the government House leader intervening on behalf of the Premier so she can get on and present a legislative package to the province of Ontario.

I say to the government House leader, I say to the Premier, they should pick up the phone. Politics is the art of the possible. Politics is about negotiation. She said in her statement in the Legislature that this intervention was taken up without any notice, without any advance call to the government House leader. She makes that part of her statement.

I ask you, Mr Speaker, to wonder collectively with the rest of us whether the member for York South, the Premier of this province, has bothered to pick up the phone and call the leader of Her Majesty's third party, the member for Nipissing, and say to him: "Would you come to my office, Mike? Can we talk about this? I don't want to send the budget to a committee, but can we discuss it?"

Let the press ask the Premier whether he has done that, whether he has tried to negotiate. He is the great champion of negotiation. He talks about a new partnership in the province of Ontario. Has he done that? Has the government House leader picked up the phone and said, "Can we negotiate our way out of this?" I believe it has not happened.

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Now, Mr Speaker, let's get to the substantive parts of the point of order that my friend the member for Sudbury East, the Minister of Northern Development and the government House leader has made in her submissions to you. These requests are contained in the last three pages of the written document that has been distributed to us.

"First," she says, "we respectfully request your ruling that the mover of an unsuccessful dilatory motion to adjourn the debate or adjourn the House loses the floor for the remainder of the debate on the matter under discussion, as is the case in both the Canadian and British House of Commons."

Hon Miss Martel: Right, right, so that means they can't continue to hijack.

Mr Sorbara: Mr Speaker, I hear the government House leader interjecting saying, "Right, right, right." Well, I say to her and say to you, wrong, wrong, wrong. The reason you can do that in the House of Commons and the British House of Commons is that it is in the rules. That is why the Speaker can stand up and do that. It is not in our rules. These are the rules that govern how we proceed here.

If my friend the government House leader wants to change the rules, she has the majority. We changed the rules. We eliminated the ability to read petitions. We said you can only do that for 15 minutes, and it was a violent debate when we debated the rule changes. The Premier was involved in that debate and he condemned us for modernizing the rules of this Parliament.

I say to you, Mr Speaker, that this is not the substance of a point of order. If the government House leader wants that rule, let her introduce it and we will debate it, but let her not stand up in this House and suggest to you that you have some superauthority.

"Second," she says, "we respectfully request your ruling that you, as Chair, have an inherent discretionary authority to refuse to put the question on a dilatory motion where in your opinion such motion is an abuse of the procedures of the House."

Again, if you look at the index, if you read the rules, there is nothing about a Speaker's inherent authority. There is nothing that suggests in these rules that somehow you can overcome the dilemma of a few days' delay in this House. You have no inherent authority to do such a thing, Mr Speaker.

Hon Miss Martel: Well, you don't know the rules.

Mr Sorbara: My friend the government House leader continues to interject and says I do not know the rules. I just want to say to her that if I do not know the rules, then her suggestion that somehow her requests are valid really strain credibility.

But before we get to the third request, which I believe to be the most outrageous, let's examine for a minute what awaits us in this abuse of democracy, as the government House leader has suggested. Let's look at the bills that are awaiting our consideration.

The first is a wage protection package that the Premier would like debated in this House. I would like it debated too. I think it is a very interesting bill, but if you pick up the bill and read it—

Mr Bisson: What about SCOE?

Mr Sorbara: We will get to support and custody orders enforcement in a second.

If you examine that bill, you will find that the bill is retroactive. The Premier himself said he intends to make sure that every worker is the beneficiary of the bill back to the day when he and the government were sworn in, so the fact that we cannot debate it today because the member for Nipissing is using these rather ridiculous tactics is neither here nor there.

It is like a budget bill. The taxes are being collected, the charges are being made, and the fact that we have not had an opportunity because the member for Nipissing, as leader of the third party, chooses to use tactics is neither here nor there. We are not abusing democracy. This notice to us that the House shall now operate at the command of the government House leader is the true abuse of democracy.

Then, let us get to the support and custody order enforcement bill, Bill 17. We are anxious to get to that bill in this House. The government is anxious and we are anxious. I am not sure what the view of the third party is. But I want

to say that once again Bill 17 is a bill that is not urgent in the sense that anything turns with the general public on whether or not it gets passed today or tomorrow. The government has already said publicly that it does not actually plan to enforce the bill, make it part of the law of the land, for several months. In fact, in committee I was told that it would not be until 1 January of next year. So if we do not debate it today or if we do not debate it tomorrow or if we do not debate it until next September, nothing turns on it. There is no abuse. There is no citizen who is denied a right or an opportunity. There is no individual who is going to be denied a payment under the program because we have not been able to get to that bill today.

Finally, let us turn to the final request, and I believe the most outrageous request, of the government House leader. She says:

"Mr Speaker, should you find for any reason that the specific rulings we have requested are not appropriate, we would ask that you use your judgement in formulating a response to the present impasse in the Legislature that is duly respectful of both the right of the majority to govern—that is really what they are interested in—"and the right of the minority to oppose."

Mr Speaker, that request I think should be taken by you as, if not an insult to your responsibilities, then the most outrageous request that could be made by a government to an impartial Speaker, because when you look at it, it says, "We're having trouble. We don't know if the requests that we've made under our point of order are legal and legitimate. We have no real authority," except some case in 1881 in the British House of Commons, when they still had poorhouses and they were hanging people. That is the authority they turn to.

She says: "We don't even have sufficient confidence in the requests that we have made to believe that you'll pass them, so"—she says to you, Mr Speaker—"would you help us out of this dilemma? Would you figure out something? Would you speak to the Clerk, would you speak to the table officers? Would you call other parliaments? Would you consult with other speakers? Help us out of this dilemma."

There is really no dilemma, but that is outrageous and an insult to your impartiality, that somehow you should take it upon yourself to go beyond the rules that we have, that you have been enforcing with great dignity during this difficult time, that you should set the rules aside, that you should undertake independent research, that you should ignore the traditions that have been established through 125 years of speakers in this House and go out and find them a solution.

I guess there was a time in this House when speakers did sort of bow to the government's needs. There are stories about some activities between speakers and clerks and governments and premiers that really shocked those of us who respect the modern traditions of democracy. But surely one of the great things that we did during the last Parliament was to change the rules that govern us in this House so that we could, for the first time, elect a Speaker to regulate the affairs in this House and do so under these orders. It was only a few short months ago that you were

elected and you agreed to stand for election and you were voted the confidence of this House. When you took the chair, you took on very significant responsibilities.

This place is the heart of democracy. This is the place that 10 million people turn to in the province of Ontario to assure themselves that their rights and freedoms as individual citizens are guaranteed. The fact that an arbitrary and capricious government would say to you, notwithstanding your independence and the fact that you rule in this House in a non-partisan, independent way, that you should take it upon yourself to formulate a response to its problems is, I think, the most outrageous request and submission that I have ever heard made to the way in which we practise democracy in this great Legislature.

I ask you, not on behalf of our party and not on behalf of this Parliament even, but on behalf of the greatest traditions of our democracy and our Parliament in its 125 years, to reject this request; to listen to our submissions carefully and await our written submissions, but to reject this request and not allow this government to intervene in the ongoing development of this Parliament and its issues in a way that is contrary to the standing orders that all of us agree to abide by when we sign the oath that makes us members of this Parliament.

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The Speaker: To the government House leader with respect to an alleged point of order: Because it was lengthy, I appreciate receiving it in writing. I take it as a serious matter and I will be most pleased to spend some time considering it. I very much appreciate the contributions by the member for Bruce, the member for Markham and the member for York Centre. As was mentioned, I certainly would be delighted to receive written submissions from any member of the assembly. I would appreciate receiving those submissions at your earliest convenience and certainly, if at all possible, within the next day or two.

I also appreciate the sensitivity that is shown to the responsibility and role that the Speaker has to play. No one told me the job would be easy. I am not anticipating that it will be, but I appreciate your advice. I will take this under advisement. If members have other submissions, by all means please try to get them to me as quickly as possible and I will rule on the alleged point of order.

Mr Harris: I have a few preliminary comments I would like to make today, Mr Speaker, on two matters that I believe have been raised by this point of order and that you must decide on.

The first is: Is it a point of order? I suggest to you that it is not a point of order. Any time any member of this Legislature, let alone the House leader for any party, the House leader for the governing party or the House leader for a majority governing party, comes to you as my Speaker, as Speaker of all of us, and directs you as to how you should rule, I take that as an affront. I take it as an affront to my rights as an individual member. I take it as an affront to the rights of the opposition. Surely, were I a backbench member of this government, I would take it as an affront as well.

For that reason alone, Mr Speaker, I suggest to you that this point of order is not worth considering as a point of order and should be filed in file 13 as an affront to parliamentary democracy, as an affront to the impartiality of the Speaker. That is what I take from the first two requests that have been made by the government House leader today.

I find the third request just as offensive. The third request asks you to try and come up with some other tactic, I suppose. You should spend your time as the impartial Speaker of all of us, as the first elected Speaker under our new standing orders, where we accept you unanimously as our choice, accept your rulings and give up the right to challenge your rulings. It is an important change that we made in the standing orders and, Mr Speaker, it is one that you know I am very supportive of. I really find those three requests offensive. They should be thrown out as a point of order.

Second, I would like to make a few preliminary comments while we have time to analyse this document, but I would like to make a few preliminary comments on the point of order, or alleged point of order, itself.

Mr Elston: It's a point of view.

Mr Harris: I agree with the House leader for the Liberal Party that it is a point of view, and until such time as it is ruled otherwise, I do have a few things to say about it.

When it comes to taking away the rights of members, I would like to quote from Erskine May, 21st edition, page 125, "Obstructing Members of Either House in the Discharge of Their Duty." It says, "The House will proceed against those who obstruct members in the discharge of their responsibilities to the House or in their participation in its proceedings." Those proceedings are introduction of bills and the right to petition Parliament.

If there has been any abuse in taking away the members' rights, it has been by the government House leader and supported, I presume, by the Premier in saying: "We will take away the rights of opposition parties to introduce bills. We will take away the rights of citizens of this province to petition the Legislature. We will bypass that in the orders of the day and we will proceed directly to whatever it is we want to do."

Second, in this same copy of Erskine May, page 132, "Protection of Petitioners and Others":

"Petitioners and other persons soliciting business before either House or its committees, eg, counsel, agents and solicitors, are considered as under the protection of the High Court of Parliament, and obstruction of, or interference with such persons in the exercise of their rights or the discharge of their duties, or conduct calculated to deter them or other persons from preferring or prosecuting petitions or bills or from discharging their duties may be treated as a breach of privilege."

If ever there has been a breach of privilege, again under the protection of petitioners, it has been by this government House leader in taking away the rights of the people to be heard by way of petitions in this chamber for some four days now.

There were a few things in the statement that was read today I would like to comment on as well in a preliminary way. The first is on page 2:

"Further to our concern with the Tory tactics is the fact that the third party began this blockade, not only of House work but all committee work, with no prior notice to the government. Before coming into the House to pose the question, the leader of the third party did not ask the Premier whether he would consider public hearings on the budget. Their House leader never asked me, nor did their Treasury critic ever approach the Treasurer."

Mr Speaker, you will find that I raised this matter in the House on 1 May. I asked the question about sending the budget to the committee on Wednesday 1 May. I do not think there is a person in this House, including the Premier, the House leader or any observers of the Legislature, who has not been very clear on what concern I was raising: that of taking away the right of the people to be heard.

Second, in the next paragraph, the House leader for the New Democratic Party says: "The Conservative tactics have had nothing to do with bringing out alternative points of view on the budget." My tactics have everything to do with bringing out alternative viewpoints on the budget, including that of Bob White and 9.5 million Ontarians. What I have stood up for is the principle of the right of the public to be heard, to bring forward alternative views. I believe that has been very clear, and that statement by the House leader for the New Democratic Party is absolutely 100% false.

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The third point, on the same page 2, the next paragraph: "The present delaying tactics are unprecedented in that they are preventing debate on the government's budget." The present delaying tactics are not at all unprecedented. In fact, if I can quote from the former NDP House leader when dealing with a specific piece of legislation that his party was determined to stop, was determined would never pass—not just allowing the public to be heard—at that point, the former House leader, the member for Windsor-Riverside, said, "If the member thinks five days is a filibuster, than he has got something to learn about the proper procedures and the role of the opposition parties in dealing with controversial items like this."

Mr Speaker, I suggest to you that this budget, which is not only 180 degrees in the wrong direction, but in a different direction than the public was led to believe the Premier would come forward with, is surely controversial. It is controversial enough that now Bob White has changed his mind on this budget, and obviously this motion today has more to do with the plummeting polls than it does with the concern about how this House operates.

On page 3, the House leader makes mention of this fact: "As the Liberal interim leader said in the House on 7 May 1991, when he was dissociating himself from the Conservative call for public hearings on the budget...." There is no doubt that the Liberal Party wants to dissociate itself from my opposition to this budget. This deficit is as much their fault as it is the NDP's fault. So do not bring in the Liberal concern. They are as much big spenders as the government, which causes high taxes and high deficits. Do

not bring them into this. We clearly understand that the Liberals think massive spending two or three times the rate of inflation is okay. So we understand why they do not want to join in this call for opposition to this budget.

Also, on page 3—and I think this is a key point—the House leader for the New Democratic Party says this: "The purpose of parliamentary procedure is not to ensure that every member can say as much as he wants on every topic, or that groups or individuals can prevent decisions which they do not support from being taken, but to ensure that there is a balance in discussion between the holders of power and citizens, that on one hand the majority does not have the power to prevent discussion, reconsideration and change, while on the other hand a minority cannot immobilize the whole system."

This is the crux of what we are after and I thank the government House leader for bringing this forward because this is what we are dealing with. We must balance the rights of the majority to govern, as she says in her quote, "to ensure that there is a balance in discussion between the holders of power and citizens, that on one hand the majority does not have the power to prevent discussion, reconsideration, and change..."

I am fighting and will continue to fight for the right of the public of this province to be heard, to come before the parliamentary committee to pass their comments on this budget exactly as the parliamentary guide of Canada says I should do.

I want to comment briefly on the quotes on pages 4 and 5 as well. This was the ruling of 1881; 110 years ago we had a ruling in England. Mr Speaker, I suggest to you that the New Democratic Party's thinking on how legislatures and the House of Commons should operate is about the same as its misguided, outdated, economic thinking evident in the budget it brought forward.

Many changes have occurred in the last 110 years. Many rule changes have occurred here in Ontario. We are dealing with a set of procedures right here in the Legislature of Ontario that are dramatically different even from 1982 when the Premier, then Leader of the Opposition, insisted along with the Liberal Party that hearings be held on a budget. If they have to go back 110 years to some outdated ruling, as I say, perhaps as old as their own philosophy, then I suggest they have not been paying attention to history for the last 110 years and how legislatures and parliaments operate.

I said I would make my remarks preliminary. I would like some time to review this, but there are a few thoughts I wanted to put on the record. Mr Speaker, I remind you that the last time the Premier did not like a budget he would not even let it be read in this House and presented to the people of this province. The second-last time he did not like a budget, he brought down a government and forced an election. Remember that one?

The circumstances were different then in that there was a minority Parliament. Were we in a minority Parliament situation, I have no doubt either that this budget would be withdrawn or that we would be into an election. But one has to recognize the realities of a majority government, and I recognize those realities.

Interjections.

Mr Harris: If the Premier and the opposition members who are interjecting want an election, I say we are ready to have an election today, tomorrow, next month or any time on this budget. Never—

The Speaker: Before everyone rushes to get their lawn signs, perhaps we could hear the remainder of the remarks by the leader of the third party.

Mr Harris: Last summer we saw the fastest free-fall in the polls, surpassed only in the last week by public opposition in outrage over this budget. If it is an election he wants, fine, I say to the Premier; we are ready.

Recognizing the reality of the majority government and recognizing the reality of this budget, I have simply asked that when a Premier brings forward a fiscal plan that will destroy this province, that is 180 degrees against the wishes of the people and that is 180 degrees different from what they were led to believe they could expect when this Premier was elected, then I have simply fought for the right of the people to be heard.

Before we embark upon this four-year, \$35-billion mistake, this \$35-billion doubling of the deficit, before we saddle the public and their children with this massive debt, I am representing the right to be heard of the people who utterly reject this budget.

Mr Speaker, I know that you, as one who has to uphold the rules of this Legislature, as one who understands the rights of members, as an elected member who understands the rights of the people as they are expressed in standing orders and in ruling after ruling, understand that the people have a right to be heard.

1520

Hon Miss Martel: There are a couple of comments I would like to make to reiterate the position we have taken and to support our case.

First, the point was raised by members of both opposition parties, who are questioning the inherent authority of the Speaker to deal with this House, that nowhere in our standing orders does it say that at the end of the day you have an inherent responsibility to deal with matters and how this House proceeds. In particular to the member for York Centre, who is just arriving and who does not know the rules, let me point out to him standing order 1, which says very clearly, "The proceedings in the Legislative Assembly of Ontario and in all committees of the assembly shall be conducted according to the following standing orders."

Mr Eves: Mr Speaker, on a point of order: Is it your intention that every member of this Legislature is going to be able to speak twice on this point of order? That is what is happening now.

The Speaker: The normal procedure is that the member who raised the point would wrap it up if there were additional information to present. I did not realize the member for Parry Sound wished to have a contribution. If other members have information that is not repetitious that they wish to bring to the Speaker's attention, I would be most delighted to hear that information.

Earlier, I had an indication from the member for Ottawa West that he had some information for the Speaker. Perhaps the best way to proceed is to hear from him and then from the government House leader. As I mentioned earlier, if it is of any help to members, if you have additional information you would like to present to me in written form, I would be most pleased to receive it. Perhaps by moving along we can actually get to question period.

Mr Chiarelli: I wanted to refer to a precedent that is less than one year old which was handed down in this Legislature towards the end of May of last year. It concerns a question of privilege or a point of order I raised well into the filibuster that was being conducted by the member for Welland-Thorold. At that point I stood in the House and cited a number of precedents suggesting that the then Speaker should perhaps intervene and permit other members to participate in the debate and other proceedings to take place.

Some of the same precedents I was quoting then are now being quoted by the House leader for the government. I do not want to go into a quotation of my full argument of that date. For your information, Mr Speaker, if any research is going to be done, my point of order was raised on 23 April 1990. The then Speaker issued his ruling on Monday 28 May 1990. A fairly extensive ruling was issued at that time, but I just want to quote a very small portion of it for your information and for members of the House, because I think it is very relevant, right on point.

It is important to keep in mind also that this point of order was raised when the member for Welland-Thorold was somewhere into his fifth week of conducting debate on a motion that was taking place at that time. The Speaker is referring to several of my precedents, one from Beaudesne and the other one from the Parliament of England that was referred to. If I can, I would like to quote what the Deputy Speaker said on 28 May 1990.

"The statement in Beaudesne cited by the honourable member is accurate as far as it concerns the House of Commons of Canada. The rules of that Legislature specifically provide for time limits on most speeches in the House and its committees and, therefore, do not permit 'an unlimited or unrestrained right to speak.' The situation is different in Ontario. Except in very limited circumstances, our standing orders do not impose time limits on speeches. I remind the House that our rules were only very recently extensively amended, and there was a conscious decision by the House not to impose general time limits on members' speeches.

"In such circumstances, the Speaker is not in a position to impose time limits on members' speeches or otherwise restrain or prevent members from speaking to a matter at length, provided that there is otherwise no breach of the rules or practices of the House.

"The member for Ottawa West also cited a case at the House of Commons at Westminster. On 2 February 1881, Speaker Brand terminated a debate on his own responsibility.... In this instance, Speaker Brand declined to call upon any more members to speak, even though Irish members still wished to continue the debate and proceeded to put the question after saying that the 'dignity, the credibility and

the authority of this House are seriously threatened, and it is necessary that they should be vindicated.' It is important to note, however, that his action was supported by the Prime Minister and the Leader of the Opposition, and that the following day a resolution was adopted augmenting the Speaker's powers."

Mr Speaker, the point I am making is this: The ruling of last year in this House, which I believe you must take as a precedent, indicated that there is no authority in the Speaker to restrain any speeches or any procedures unless it can be shown clearly that there is a breach of the rules. Additionally, the Speaker said clearly that the precedent referred to by the House leader at that point was not relevant to the Legislature of Ontario.

I would refer these precedents to you, Mr Speaker, and ask you to take them into account.

Mr Eves: Mr Speaker, on the same point of order: I would like you to consider several things. At the outset I would like you to consider that in reality the government House leader is asking you as Speaker to change the standing orders of the Ontario Legislature. That is exactly the reality and the result of what she is asking you to do here this afternoon. I would like you to take that into consideration.

I would also like you to take into consideration the words of the most vocal opposite interjector, the Minister of Housing. I think we should feed him some of his own advice. On 3 April 1990, in the debate on auto insurance, Bill 68, just a little over one year ago today the then House leader for the New Democratic Party, who is now the Minister of Housing, had these words of advice and wisdom for the Speaker of the day:

"We would argue that time allocation, generally speaking, is not provided for in our rules, and since the Bill 94 debate and time allocation we have rewritten the rules of this House twice. The last time they were completed was last year. Not under any of those circumstances did the government raise the issue of building in time allocation provisions in the standing orders of this House. Therefore, the government had the opportunity to negotiate it and deal with the changes in the rules, as the process normally calls for and has been the precedent in this Legislature."

He goes on to say, "That demonstrates very clearly that this government, the majority party in here, is prepared to do anything to the standing orders in order to get its legislation through, even if it means changing the routine proceedings that we normally go through."

1530

In the very same debate he goes on to say:

"The rules in this place are here to protect the integrity of this institution, the rules are written and changed by consensus and the rules are here to protect debate and free debate from all members of the Legislature. The government is rewriting the rules and imposing them by motion and by the use of its majority. It is clear that the government will go to whatever extent is necessary to impose its will."

He goes on to say that this is incredibly unfair. I concur; it is incredibly unfair. I would suggest that the only way that in effect the standing orders can be changed is for

all three parties of the Ontario Legislature to do so by consensus, as has always been done in the history of this place.

I would also like to add some comments made by the now Premier on 29 March 1990, during that same debate:

"The reality is that this government believes it has the right to do whatever the hell it wants to do, regardless of the views of the public and regardless of the views of those of us who oppose. They are not even prepared to give us the time. I want to ask the minister, why are the opinions of the insurance industry, the schedule of the insurance industry, the money demands of the insurance industry and the financial demands of the insurance industry more important to him than the opinion of the public of Ontario?"

I would ask the Premier the very same question. Why is the opinion of the public of Ontario, which could be very easily heard on this budget through reference to a committee, with open public hearings, not important to the Premier of Ontario? It was obviously very important just a little over a year ago. It is not important to him any more.

I want to refer very specifically to a few of the points that the government House leader has made in her written submission, which obviously she has taken some days to deliberate over. Before I go on, Mr Speaker, I might add that I think it would be most appropriate if you would wait until you receive written submissions from the other two House leaders or leaders as well before you rule on this very substantial point of order, if indeed it is a point of order at all.

I refer to page 2 of her written submission, where she says that what the leader of the third party opposes is that the NDP has a majority on those committees and at the end of the day will vote in favour of the government. That is not true at all; that is not what the leader of the third party is saying. He does not question the NDP's right to have the number of seats it has in here. He has never questioned their right to have the number of members they have in standing committees.

What he has questioned is the fact that this party and this Premier went around the province last August and early last September with a document called *An Agenda for People* which did not show anywhere near a \$10-billion surplus, and now he has gone 180 degrees in the other direction. All we are asking for and all my leader is asking for is that the people of Ontario, who are going to have to pick up this \$10-billion tab this year and \$9 billion next year and \$8.5 billion the year after that and \$7.8 billion the year after that, have an opportunity to come and be heard. That is all he has ever asked for. I do not think it is an unreasonable demand.

The government House leader goes on to say, near the bottom of page 2 in her written submission, that these delaying tactics are unprecedented. These delaying tactics are not unprecedented at all, not at all. I can recall a leader of a party in this place in 1988, who is now the Premier of the province, stopping a budget from even being read on the floor of the Ontario Legislature. There is no comparison between the two. Talk about hijacking Parliament; that is taking it to a ridiculous extreme because he did not happen to agree with a piece of legislation that had nothing

whatsoever to do with the budget. It was Sunday shopping, I believe, that was the issue of that day. To say that this is unprecedented—this is extremely mild in comparison to the politics and the delaying tactics that the present Premier of the province of Ontario has practised in the past.

I would also like to give members some evolution of the budgetary process with respect to bills and budget bills going out to committees and budget deliberation by committees, because that is the gist of what the government House leader is talking about.

Mr Elston: Keep talking, Ernie. They are all leaving.

Mr Eves: I must be doing a good job.

In 1982 there was a request by the official opposition of the day, the Liberal Party of Ontario, that Bill 115, being a sales tax amendment bill, a bill arising out of the budget in May 1982, go out to committee for public deliberation and hearings. Up until that point that was totally unheard of in the province of Ontario. That had never been done before in this place.

The government of the day and the Treasurer of the day, Mr Miller, agreed to send that bill out. It had never been done before. It was a request of the official opposition. The Treasurer of the day, the government of the day, acquiesced to that request, and for the first time in the history of the province a budget bill went out to committee for public deliberation and debate.

I would also like to tell members that with respect to that same request that was made by the official opposition in May 1982, the New Democratic Party leader, the member for York South, as he then was, told reporters, "The budget should be referred to a standing committee of the Legislature for public hearings." Not just the bill, not just bills arising out of the budget, but the entire budget should go to a committee of the Legislature for public hearings and debate. That was the member for York South, who was then the leader of the New Democratic Party, which was then, I might add ironically, the third party in the province.

The member for York South appointed the NDP finance critic, the member for Windsor-Riverside, to head a party task force to travel across the province hearing public submissions. That is when the bells rang, I believe, for some four or five days. That is what the Premier of the province thinks you should do with budgets and budget bills that you do not agree with when you are the third party. You should send them out to committee for public hearings and debate. He said so in May 1982. I think he should take his own advice. I think that is exactly what should happen in May 1991.

The government House leader goes on, near the bottom of page 2, to talk about her party having a right and responsibility to govern. I think truer words were never spoken, but they are not exercising that responsibility and they are not doing a very good job of either running the government or this place, I would suggest, or they would not find themselves in the mess they find themselves in here today.

She goes on to talk about what, in her considered opinion, the leader of the third party, our party, is stopping the government from doing. Our leader and our party are not stopping the government from doing anything. They are

stopping themselves. All they simply have to do is agree to send the entire budget, as a package, out to a standing committee of this Legislature for full and open public hearings and then get on with whatever piece of legislation they want here in the House this afternoon. They are the only people who are stopping anything from happening around here.

On page 3 she talks about, "Balance is the key, and balance and reasonableness are what have been missing...." I could not agree more. They are totally missing from the government benches and the government House leader.

Talk about treading on the rights of various people in this place and talk about treading on the rights of individual Ontarians: for the last four days the government House leader has spent her time during motions moving motions that we skip over petitions, that we skip over introduction of bills, that we skip over reports by standing committees of the Legislature and go directly to orders of the day. I would think that is perhaps a far more significant and valid point of order than the one she has raised here this afternoon.

She has prevented individual members of the Legislature every day for four consecutive days from introducing petitions that people all over the province want introduced in this place. She is also preventing individual members from introducing private bills. She is preventing her own government from introducing government bills. Why? As a procedural tactic, as a game of procedural one-upmanship.

1540

I do not think that sits very well and I do not think she should be coming into this place with a point of order asking you, Mr Speaker, in effect to change the standing orders because she cannot figure out a way out of her dilemma over there.

Hon Mr Cooke: You know that's wrong.

Mr Eves: The Minister of Housing is saying, "You know that's wrong." I suppose he was totally wrong in 1982.

I have made the points that I want to make with respect to this point of order. I seriously would ask you, Mr Speaker, to consider whether it is even a point of order at all, because I think there is a very large question mark there as to whether or not this is even a valid point of order.

Mr Elston: It is a point of view.

Mr Eves: A point of view, the House leader for the Liberal Party says. It certainly is a point of view; not a very valid one, in my considered judgement. However, I do not think it is a point of order to start with. If, on the other hand, you should consider that it is a point of order, Mr Speaker, I think you should very seriously consider what the government House leader is asking you to do. She is in effect asking you to change the standing orders unilaterally because she does not like them or agree with them.

The Speaker: New information?

Mr Harnick: Yes. This alleged point of order is apropos of nothing that went on in this Legislature today. It is not supported by or in response to anything that happened in this Legislature today. If this point of order is directed to

what went on here for the last six days, what it is is an indirect challenge to the Chair. What the government is doing by bringing this point of order now is doing indirectly what it cannot do directly.

Last week, when things happened that the government House leader did not like, there was no order by the Chair that what was happening was out of order. Everything that was done was sanctioned by the Speaker. To bring this point of order now is a challenge to the Chair. It is a challenge to the Speaker, and that is contrary to the rules.

What they are doing, and I say it again, is trying to do indirectly what they are not allowed by the rules to do directly. There must be some foundation upon which this point of order could be brought. There is none before the Legislature at this particular time. What went on here last week was something the Speaker ruled on each time an incident occurred, and each time an incident occurred the Speaker ruled that what was being done was in order. The government House leader is challenging the Speaker. This cannot be done according to the rules. The rules were amended, and this present government was part of that amending of the rules process. In fact, this government knows what it gave up and what it received in return for the amendments that were brought in. One of those things was to give up the right to challenge the Chair.

In addition, if I might point to a few items—I appreciate that you are getting anxious, Mr Speaker, but I believe I am within my rights to be doing this.

The Speaker: To the member for Willowdale, I appreciate his approach, if it is not repetitious, if it is indeed new information for me to consider. I did mention to all members that you could present something in writing. Yes, I am a little anxious to get on with question period, but if you have new information, by all means tell me.

Mr Harnick: I do not believe that anything I have said right up to now has been mentioned by any other speaker. That being the case, I think I am entitled to carry on. Further, I might say I have very little confidence in supplying a written argument. I know you will be inundated with written arguments, Mr Speaker, and it is going to be difficult for the Speaker to digest all of those written arguments when 130 members—I notice my friends across the way have constant comments, so I would expect that every one of them, particularly someone who is as familiar with the rules as the former House leader across the way, will just inundate you with written submissions, because they have so much to say about this. The fact that there is an attempt to abuse the process of this Legislature would, I know, prompt them more than anyone else, because of their past record of self-righteousness, to supply you with written submissions. I quite frankly relish the opportunity to stand here now and speak to you directly.

I take some umbrage at the statement the House leader has made on page 1, referring to the statement of my leader in which he said, "People know where I stand on the budget; I am not going to let it pass." She says, "Mr Speaker, this statement and the ensuing procedural tactics show a total disrespect for the democratic process." She goes on to say, "The House leader for the third party will

undoubtedly argue that his party is merely exercising its legitimate right as opposition to stall debate until the government agrees to send the budget out to the finance and economics committee for public hearings."

What she is essentially saying is that she doubts the sincerity of my leader. I submit to you, Mr Speaker, that that position, to doubt the sincerity of what a member says here, is unparliamentary. It is not right. It is getting to the point where members are on the dividing line between the words they can say and the words they cannot say in this place.

That statement made on page 1 of this document premises the whole attitude of this government and the whole attitude it brings to this chamber when it brings this argument in support of a point of order. That is why I think the whole document they laid before you should be suspect. They base the whole argument they make upon saying my leader is not being sincere when he brings to this House the procedures he has brought in order to fight a bad budget. I think everything in here has to be viewed in the light of that attitude.

My colleague the member for Parry Sound has stated, quite eloquently, that this government believed that budgets should be sent out so the public can comment on them. All we are saying is to let this budget go out and let people have a say.

What the government has said—and this is new; it has not been discussed—is go ahead and send it to a committee in pieces. Well, sending it to a committee in pieces where the public is not invited, where they cannot comment on the budget as a whole, where they have no input, is not satisfactory to our party.

The third paragraph on page 2 states, "Further to our concern with the Tories' tactics is the fact that the third party began this blockade—of not just House work but all committee work"—

Let me just stop for a second. Committee work and the schedule for committee work are dictated by the rules of this place, and when the bells are ringing in this place, committees do not sit. When routine proceedings are not completed, committees do not sit.

Again, what they say in this document is absolutely wrong. It is a complete ignoring of the standing rules of this Legislature. Again I say to you, Mr Speaker, that the tenor of this document is mean-spirited. It is almost, if you will, an attempted vengeance. It is an attempt to abuse the rules of this place.

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I would like to comment on the idea that the government says the Tory party is doing what it is doing without consulting with the government first. They almost make it sound as though, had we consulted with the government in advance and had we said, "Look, we want public hearings and we want you to give public hearings to this budget process; we want the public to come," they would have said, "Well, because you came to us at the beginning, we're going to allow those public hearings." But now, by saying what they are saying, what they are indicating is, "Well, you didn't come to us at the beginning, so you can't have those public hearings."

I would say, to use a phrase, "You can't suck and blow at the same time." That is what the government is attempting to do here. They are attempting to have it both ways. Again, they are impugning the integrity of the opposition, not just my party but all opposition, and that is improper.

When we get to the second-last paragraph on page 2, they say, "In our parliamentary democracy that gives New Democrats a right and responsibility to govern." Mr Speaker, I put it to you that when the government talks about democracy and in the same breath talks only about how New Democrats have a right, New Democrats have a responsibility, I submit to you again that this is a mean-spirited and improper point of order. No one has said this so far, Mr Speaker—I notice you are getting restless in your chair again and I apologize, but this is important to me. No one has said, and let me be the first to say, that New Democrats do not have an exclusive right to govern and New Democrats do not have an exclusive responsibility to this Legislature or to this province. If that is the foundation upon which they bring this point of order, I submit that it has to be dismissed, because those reasons are elitist and improper.

If I might carry on—

The Speaker: Will the member for Willowdale take his seat for a moment? I am still waiting for something substantive which is new. I am asking members' co-operation. If you have additional information which is of a substantive nature, which has to do with the rules and procedures, I would like to hear it. Otherwise, I would appreciate if we can move on and begin the business of the day.

Mr Harnick: Mr Speaker, unless you can tell me where I have been repetitive, I believe that everything I have said has been new. My interpretation of this document has not been discussed. I do not know why you are looking to me as if I am not saying anything new. I can appreciate that you are restless, but I believe the points I am making are important points, and I believe I am entitled to make these points.

On page 3—and appreciate, Mr Speaker, that I have to pause momentarily because I did not receive this document days ago when it was prepared. I am sure it was being prepared over the weekend. I have only seen this document for the first time this afternoon and that makes it a little more difficult to respond. They state on page 3, "However, this does not mean that these tactics can or should be used without limits." Mr Speaker, what I put to you is, who should be setting the limits? Are they limits that are to be set by the government because it has a majority? Are they limits to be set because the government forces the Speaker into an awkward position? Are they limits to be set by this Legislature because we have rules? Those are where the limits are set, and those limits are limits that were concurred in by the New Democratic Party when those standing orders were amended.

The government also states, "In government and in opposition, we have felt that the government of the day should be able to put forward its plans, have them debated and have them settled democratically."

Mr Speaker, if this is their idea of settling something democratically, abrogating from the standing orders that we operate under, again I will point out to you that their definition of "democratic" is not such as to permit you on the basis of what they have set out here to find in favour of this point of order.

If I can go on to page 4, there is some idea that my party disrupted this Legislature when it argued about the efficacy of Bill 4. The government at that time proceeded by the rules. This time they are not proceeding by the rules. But let me say that the comparison being made and the idea that my party attempted to hijack the Legislature when all it was fighting for was the opportunity to have more witnesses who were excluded from the process come before the committee and give evidence—that is hardly what I call something that is improper. The idea of letting all speakers from all parties speak on Bill 4 is not something we here should be limiting; we should be expanding those opportunities. If anything, this government is not expanding those opportunities in this case.

On page 4, the government House leader states, "That a minority in the Ontario Legislature has immobilized the whole system is a statement of fact." That is not a statement of fact. It is a statement taken out of context as to what all the facts are. All the facts are that we have a budget that now has presented the people of Ontario with a deficit of \$9.7 billion. What this party is doing is trying to get an opportunity for all members of the public to comment on that budget. It is trying to do nothing more than invite the public to a forum that the now Premier sanctioned in the past.

Again, I say the idea of immobilizing the whole system is not a statement of fact. It is a statement in support of muzzling the opposition so the public does not get the right to speak. The document goes on to say, "That this immobilization of the Ontario Legislature by the third party is an abuse of process...." The third party has done nothing more than follow the rules. If that is an abuse of process, I say to the House leader, amend the rules. Bring in new rules that suit the 74 people who sit on that side of the House, but do not accuse this party of abusing the process by following the standing orders.

In this document they talk about what this party is doing as being an abuse of democracy. The idea of muzzling the opposition and the idea of putting the Speaker in a position where he is being asked to rule outside of the standing orders—I do not say that is an abuse of democracy in terms of what this party is doing; it is an abuse of democracy in terms of what the government is doing, and it is highly improper.

The government even admits on page 4 that the standing orders do not explicitly support or condemn the procedures being utilized by the third party. The fact of the matter is that if the government wants to proceed the way it is proceeding, it had better have standing order authority to do it. Everything we have done on this side of the House to provoke this government to send this budget to a standing committee so the public can come and speak to it has been done within the standing orders. It has not been done

outside of the standing orders. They have no respect for the opposition or for the standing orders.

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When the government talks about the need for a new and exceptional course being demanded, I put it to you respectfully, Mr Speaker, that a new and exceptional course would be the wrong thing to do in these circumstances. The course that we follow is the course set by our rules. We on this side of the House, and certainly in my party, respect those rules and we follow those rules. If the government, out of frustration, decides that it has to take exceptional measures, that shows you the desperation of the people on that side of the House.

I urge you, Mr Speaker, not to stray from the standing orders because they want an exceptional course to be taken and they are demanding it in an imperative way. I think the language in this document is despicable and the government should be ashamed.

The Speaker: Is there more helpful advice?

Mr Harnick: Yes, Mr Speaker. I apologize for taking up the time of the Legislature, but this is important to me. For the people on the other side of the House, this is a joke. It is their imperative that they force you to take extraordinary action. I do not think this is a case for extraordinary action. The idea of having a budget debated by the public before the government is not extraordinary action. That is decency. That is honesty. That is what this government used to advocate when it sat on this side of the House.

On page 6 of this ill-conceived, inconsiderate document it states—

Mr Perruzza: Throw it away.

Mr Harnick: I would like to throw it away. I am responding now to the member for Downsview, who agrees that this document should be thrown away. I am glad to see that someone on that side of the House is thinking. I know that when it comes to thinking it is something that is certainly within the prerogative of the member for Downsview. I am delighted that he does that on occasion.

When that he says to throw this document away, I hope that the other members of the government who respect their fellow colleague and member are going to listen to him.

The Speaker: And your comments to the Chair?

Mr Harnick: I hope that they are going to listen to him and throw this document away. I hope that the government House leader gets up and withdraws this argument in support of the point of order and withdraws the point of order.

Finally, on page 6 of the document it says, "We respectfully request your ruling that the mover of an unsuccessful dilatory motion to adjourn the debate or adjourn the House loses the floor for the remainder of the debate on the matter under discussion." If ever there was a desire, an expressed and blatant desire of the government to muzzle the opposition, it is in that statement. I am surprised that they had the audacity to print it.

This is a government that is involved in investigations of the Solicitor General and that will not undertake to

provide the copy of the report when it becomes available to the Legislature, a government that brings preferred indictments and will not give reasons, and now this same government wants to muzzle the opposition.

Mr Speaker, in concluding my remarks, I apologize for making you restless. It certainly was not my intention. I hope you have listened to me and heard what I have said and I hope you will consider it in spite of your restlessness.

I think that this government, which is so clandestine in terms of dealing with the Solicitor General, in terms of undertaking to produce reports to this Legislature when they become available, in terms of preferring indictments without reasons and in trying to muzzle the opposition, is wrong. I think that everything I have said indicates that this document is mean-spirited and is not the foundation upon which you, Mr Speaker, should be making a determination regarding this point of order. This document is the last place that you should be looking to find authority for what the government is requesting. Thank you for the opportunity and, again, my sincere apologies for making you restless.

Mr Scott: Mr Speaker, it is going to be my submission to you that before you rule on this motion, whether it be today or some days hence, you should give some consideration to examining carefully the management of this issue on the floor of the House and make a determination whether there are ways of adjusting the dispute which has arisen that have not been canvassed adequately.

Everybody understands that oppositions, and I speak of the third party now, when they see an issue that they take profoundly seriously, will engage in delays and in filibusters. Without putting too fine a point on it, that is what the third party is doing now around an issue that it regards as very serious. It can be called hijacking the House, it can be called obstruction, it can be called a filibuster, it can be called delay.

Every party does that in opposition, and the government party was no exception. I do not go so far as to say they wrote the book on it, but they certainly introduced some new refinements of it. Mr Speaker, even when you were a sitting member of the House, there were delays of an extraordinary type when your party confronted an issue that you took to be very serious, so serious that the tactics were justified.

The problem is not that these things occur, because they always occur. I was not here when our party was in opposition, but I am sure we did the same thing from time to time. The problem is not that these things occur; the problem always is how you manage the issue. The difficulty we confront here is that the government—frankly, the government's leadership—has managed this issue extremely badly.

The very motion today, on a day when everybody adjusts to the fact that the filibuster is just beginning to decline and run out of steam, the motion today confronting that fact is like throwing gasoline on the embers of a dying fire. It creates a whole new *raison d'être* for those who want to make their point about public hearings on the budget. That is a bad management technique.

The other absence of management technique to which I draw your particular attention as you confront the resolution is that every time obstruction in the House occurs, the way the problem is resolved, if you do not want to sit out the obstruction—and obstruction does not last for ever; it never, ever has once, never has lasted for ever—the way you deal with it is to try to get the obstructing party, if that is what you want to call it, and the government leadership together in an atmosphere in which the problem can be resolved. Sometimes that works; more often than not it works. The terrible thing is that that has not even been attempted here.

I remember on many occasions the previous Premier of the province, confronting this kind of obstruction from the NDP on more than one occasion, would call the leadership of the NDP into his office to canvass the various possibilities to see if something could be done to resolve the problem. It worked four times out of five, but it will never even happen if the government approaches the process with its own invincibility top in its mind.

If the government really thinks that no one has the right to speak against it, it will not try those things, but if it does believe that these members here are expressing fervently and profoundly views that they deeply hold, just comparable to views that the present government members deeply hold, it will try that technique.

I think, Mr Speaker, what we confront here is an issue that from the government point of view, I regret to say, has been very unsatisfactorily managed. I would hope that what the government would do before you are required to rule is withdraw this resolution.

The House leader shakes her head. She is adamant. She is dug in. She is determined. There is no way any concession will be made. The reality is that getting to yes, which is the art of negotiation, simply will not tolerate people who take a view as aggressive as that.

1610

If the government wants to compromise this result—and I believe the government should want to compromise it; there is lots of room to compromise it—I suggest respectfully—I know the House leader will not want to do it, she is so determined—but the first thing she should do is withdraw the motion. It can always be brought again on another day.

The second thing she should do is encourage her Premier to meet with the leaders of the parties to discuss the impasse that we confront. I can tell members from my own experience that that has worked four times out of five. Usually, what you are confronting at that stage from the opposition parties is a party that has got itself into an obstructionist bind and does not know how to get out of it. That means there is a real possibility for accommodation.

So I would ask the House leader, and I would encourage you, Mr Speaker, before you are asked, to take a step never before taken in the history of Ontario, to consider that the motion should be withdrawn and that you should be satisfied that determined efforts have been undertaken by the Premier and the leaders of the parties to solve, in a way that is satisfactory to all parties, the impasse that we confront. I can assure you that our leader, who has taken a

clear line on this issue from the beginning, will be prepared to participate in such a process.

Mr Speaker, I do not say whether you have this power or whether you do not have this power, but it would really be an extraordinary thing to define either the existence of that power or its use until you are satisfied that the usual methods, traditional methods that we have employed in this House for generations to resolve this kind of impasse, have not been thoroughly tried and have been proved beyond doubt to be failures.

Mrs Cunningham: I think there is a lot of interest in this motion this afternoon. If I had been able to comprehend the first couple of sentences, I would quickly rule it out of order, but now we find ourselves in a position of looking at a point of order that is very substantial and is, we find, worthy of some debate so that we can point out our views to you, Mr Speaker.

I think that the government has found itself in a position where it has itself hijacked the House. There was not anyone who came this afternoon not ready to get into question period and there was certainly no one who got a phone call this morning to talk about anything different. Is that not the way it works when things are not going according to the rules of this House, if someone wants to change them? It seems to me that there is a way to change what is happening in the House, and I have to say that this particular government has not used that process to its fullest.

There is a precedent in the past. Certainly one of the pros in this House when it comes to reminding all of us about our responsibilities is the member for Windsor-Riverside, who reminded us on a number of occasions during the debates on Bill 68, as we looked at process, none of us wanting to come to the end of the debate, of course, and none of us wanting to take a look at a closure motion—a lot of thought went into processes that could be used by the opposition to get its points across on that particular bill.

We find ourselves in the same dilemma right now. Many of us are trying to speak on behalf of the public during the opportunities we have here, and now we find ourselves asking for members of the public to be able to speak on behalf of themselves in public hearings. The government has already said the budget bills will go to a committee for public debate. Why not the entire budget? That is the issue here today. We find ourselves now being presented with a point of order which definitely is out of order, in my view.

I feel very strongly about this, Mr Speaker, as did many before me, and that is that you do not change the standing orders of this House—and I speak directly to the House leader—you never change the standing orders of this House by a mere point of order raised by the government in the Legislative Assembly. The very first standing order that the House leader for the government wants to quote from, and will quote from when she is given the opportunity to summarize, is 1(a): “The proceedings in the Legislative Assembly of Ontario and in all committees of the assembly shall be conducted according to the following standing orders.”

The standing orders have been developed over years and years of hard work and change. In fact, it has been

more recently that this Legislative Assembly did have a standing order that related to closure. That closure order is made around the business of the government. In this instance it is not appropriate. The advisers to the government, who I stare at reluctantly at this point in time, know that and did not in fact advise her to come forth with that particular procedure, and they were absolutely right. But on this one they did not give the government House leader good advice.

This point of order, in my view, is out of order. Mr Speaker, if you are being asked to rule on it, I think it is particularly unfair that the government should use a point of order to ask you to write new standing orders of this Legislative Assembly, because in fact if you do rule this in order, you will be implicitly adding to the standing orders of this House and it will very clearly say that on a point of order such as this, a government can stop opposition parties from taking actions they feel are important in the best interests of the public.

The only way the government can do that right now is to agree to public hearings. They do have that choice, and there has been very little negotiation around that point, very little compromise, I will add in fairness, with due respect, on either side.

But let me tell the House what happened. I am now quoting—

The Speaker: To the member for London North, just before you continue, if I could remind members that, first of all, there was an alleged point of order raised. It is a procedural matter. I have not yet determined whether in fact it is in order or out of order. I am reserving judgement of that. If any members have information which will assist the Speaker in terms of precedence of procedure or anything out of our standing orders which would be of assistance to me, I of course want to hear that information. This should not be an opportunity to simply debate political issues but rather to present the Speaker with information which will assist him in trying to determine the validity of this procedural point which has been raised.

Mrs Cunningham: Mr Speaker, I of course am trying to give you as much ammunition as I can for your ruling, because obviously you have taken it upon yourself to say that you will be ruling on this matter, and that of course is what we look to you for. Therefore, I would ask you to look, when you are making your deliberations, at the Hansard of 3 April 1990.

I will now quote the member for Windsor-Riverside when he was in opposition, and there are many precedents for his speaking to this particular process. At that point in time we were looking at Bill 68 and he talked about the process whereby the government and the opposition members came to a conclusion around what was eventually a Liberal government closure motion.

He started by saying: "If the member thinks five days is a filibuster, then he has got something to learn about the proper procedures and the role of the opposition parties in dealing with controversial items like this." This was after five days of some debate.

I think it is most unfortunate, given the request of the third party, the Conservatives, and of our leader at this point in time, that we have public hearings around a budget which is devastating for this province, unprecedented, with a projection of some \$10 billion as a deficit. Really, if one wants to talk about anything and one wants to ask for the views of the public on anything, I think that is a very reasonable request. Given—I underline this—that in fact we already are having public hearings on budget bills, all we have asked for is that we talk to all items in the budget, and that is fair.

1620

I go on to quote the member for Windsor-Riverside, and I am talking about process now and I am talking about the only real vehicle that we have for compromise under the circumstances: "A verbal agreement by the House leaders was reached to limit the second reading debate and to deal with public hearings, and that was discussed in the House leaders' panel where it is most appropriate to deal with it."

Let me go on. "This demonstrates the fair and acceptable method by which we think these items of conflict should be dealt with in the House leaders' meetings and through consensus to the extent possible." Again, this is the NDP when it was in opposition. They talk about themselves. "The opposition has demonstrated very clearly its willingness to discuss this matter in a fair and equitable way with the government," through the House leaders' meeting.

I will skip a little bit, Mr Speaker. I am sure you can read this later on. "Then there was the government motion on public hearings, and that again was agreed to by consensus. It was a compromise." This is a key phrase: "We discussed it several weeks in a row in the House leaders' meetings." Several weeks in a row—not one meeting, not two, but several weeks in a row. No one is saying we should be discussing this kind of thing for several weeks in a row, but how about a few hours in a row or a couple of days? How about a phone call saying, "Let's make a compromise"? Nothing, and then we get this ridiculous motion today which has literally held up the whole House.

The government should not blame the Conservatives today. Today the House leader was given very bad advice by her backup team, who in fact put forth a point of order which is out of order, which everybody knew would not be ruled out of order in respect to the government, so we now find ourselves in a very substantial debate. Points of order are fully debatable on substantive motions, and this is very substantive. In fact, this is so substantive that if it is ruled in order, we will change for the first time in who knows how long the rules of this House by a point of order put forth by the government. Ridiculous, just ridiculous.

You would not see a secondary school student council meeting run in this fashion; you just simply would not. The students would not have brought forth a point of order on an issue like this; they know better.

I go on to quote the member for Windsor-Riverside when he was in opposition. "Then there was the government motion on public hearings, and that again was agreed to by consensus. It was a compromise. We discussed it

several weeks in a row in the House leaders' meetings"—several weeks. "The original proposal by the opposition parties was for unlimited public hearings. The compromise was five weeks."

The New Democratic Party opposition at that time said, "We'll have public hearings for five weeks." We have not even had a chance to talk about how long they ought to be, but they have to happen. There is no doubt. The public wants to be here. They want to advise the government. With their people's agenda, they are going to listen to the public. What a joke. Here is our first chance to talk to a budget and they do not want to speak to the people about it, just about the public bills. That is just a ridiculous way to deal with it.

"Six days of those five weeks would be travelling throughout the province to get input from areas outside Metropolitan Toronto." I think that is a great idea. When we come to some kind of compromise around these public hearings, I think we should travel the province of Ontario. I think six days of the five weeks travelling may not be enough, but I certainly think it is a good idea, and the opposition party thought it was a good idea on auto insurance. Is it not therefore a good idea for the budget?

"It was discussed and ironed out in the appropriate way by the House leaders."

Could this be a member of today's government saying in the past, "It was discussed and ironed out in the appropriate way by the House leaders"? For anyone who is watching this program right now, I want to tell them that we have not begun to talk about a compromise. We had an initial discussion that perhaps third- and fourth-graders may in fact have, but we are talking about the business of the province of Ontario and a budget that has projected a deficit of some \$10 billion in one year. I think the people have a right to come before this government, and that is what this point of order is all about. It is asking the Speaker in fact to rule on whether or not we can go out on public hearings. It is the responsibility of the government and the opposition parties to decide that together.

Hon Miss Martel: Now you're really dredging it. You don't really believe that. Try again.

Mrs Cunningham: What else would it be? The government House leader says, "That's not it." Well, I do not know what it is if that is not it. I cannot see that piece of paper. I suppose it is irrelevant, because I would rather get this on the record so that when the Speaker will be spending the long hours of the night trying to figure out whether this is a point of order or not—which I hope he does not spend more than 30 seconds on—at least he can refer to the Hansard of the Legislative Assembly of Ontario, I believe, 3 April 1990, where the member for Windsor-Riverside says, "This clearly demonstrates the fairness with which the opposition parties were dealing with the government's agenda." That is when they decided for public hearings, and the compromise was five weeks, and six days of those five weeks were travelling about the province.

"The minority on this side recognizes and respects the rights of the majority in this place." The rights of the majority are in fact to carry out the business of this government,

but at the same time it has to take into regard our responsibility in opposition, and that is to provide solutions to problems. The solution to the problem in this instance is that the government of Ontario was caught totally off guard with a projected deficit of some \$10 billion. If we take a look at the NDP's Agenda for People, it projects some \$2.5 billion this year at the most, in spending, not \$10 billion in one year. The public of Ontario has every right to come down here and give their point of view.

Mrs Haslam: It is \$1.5 billion.

Mrs Cunningham: Is it \$1.5 billion? I added it up to something over \$2 billion. I was trying to be kind, and now I hear members of the government saying it was only \$1.5 billion. If that is the case, Mr Speaker, if they knew this government was going to spend \$10 billion, put us in debt \$10 billion more than we already are, do you really think that at that cost the people of Ontario would have elected this government? One of the alternatives on this particular motion is this: The government either agrees to public hearings or it calls an election. That is the government's alternative.

An hon member: Stop dreaming.

Mrs Cunningham: Oh, yes. I would project that at least that member would be gone on Bill 4 alone, and there would be a few other members, given their performance so far in this government, who would just kiss their seats goodbye. That is the way it goes. There is not one young person in this province who is prepared for one second to buy into this kind of budgeting. Why do we have a right to mortgage their lives and the money they make for their young working years and for ever?

I got elected three years ago because the Liberal government had a \$1-billion deficit and I thought that was irresponsible. We saw nothing then. Whoever could have guessed that the Agenda for People promised—and I am using the words of the government member—a \$1.5-billion deficit, \$10 billion. No wonder we came forth with this process.

I am not prepared to stand here this afternoon and watch this point of order change the standing orders of this House. I am also not prepared to stand here and think that the government is so naïve as to get so excited about what our leader said during the debate on the budget, and that was that he would stop the budget. Give me a break, Mr Speaker. Did they really think, given the numbers in this House, that he could do this? That is the silliest interpretation of this responsible side over here. We are the only party coming forth and saying this is an irresponsible budget, we cannot afford it. People do not want to invest in Ontario, throwing money at problems as opposed to programs.

If we are really concerned about people who cannot take care of themselves—and I believe that the public of Ontario is prepared to help, I really believe that, but I do not think throwing money at big government is going to help people who are looking for appropriate health care, social workers, job shadowing, care in the homes for the elderly or new schools. Throwing this kind of money at big bureaucracy is not going to help.

In ending, I do not believe this to be a point of order. There are two choices for this government. They can agree, through compromise and House leaders, to a forum of public hearings, whichever one we can come to some conclusions about, and I feel that it is their responsibility to do so, or they can call an election.

1630

Mr Offer: Prior to just a couple of moments ago, I did not know whether I would partake in this discussion, but after hearing some of the comments, I think it is a very important matter to discuss. It is a very important day, because this particular issue is one which really does in many ways abrogate or curtail what is in essence a right to speak on those issues of the day in the way in which the members chose to speak about them.

We have the opportunity and option in this Legislature to make points, to make our position known, to make our position in terms of support or opposition and all of the variations in between; to make them known not only to all members of the Legislature, but to all people who watch through the parliamentary channel. It may be that some, certainly on the government side, take issue with how those particular positions are made and the process by which they are made and, yes, I guess that as they all have a particular opinion, they have every right to make that known. But to do it in this manner by this particular motion is, I believe, not something, which is embraced in principle in the standing orders.

I will be addressing some of my concerns with this particular motion in the next few moments. I do not expect to be speaking at great length on this issue, but I do want to bring forward a few points of concern.

I see this as almost a trilogy of events that this particular government has undertaken since being victorious in the last election. The first event was that dealing with closure under Bill 4. I spoke on that matter and I am not going to dwell in detail on the past. I spoke on that matter because I felt very strongly that our rights as members to speak on an issue which impacted on so many people, not just tenants and landlords but a variety of other individuals in the province, were severely curtailed.

On that day I spoke in strong opposition to invoking closure at such a very early point in time. There were a great many points to be made, there were a great many positions and sensitivities from different areas of the province that had to be made, and the invocation of closure on that matter at that particular time did not in any way enhance the workings of this Legislature.

The second area in this trilogy, which has been used on more than one occasion by the government House leader, is the motion brought forward at the end of question period to immediately move to orders of the day. Some people will think: "What is so important about that? Why should members feel so opposed to that particular motion? It is permitted under the standing orders."

I do not believe the honourable government House leader is using that particular motion in the spirit in which it had been first devised. I believe that particular aspect of our standing orders was one which was to be used in ex-

traordinary circumstances in extraordinary times and not to be used as a matter of course, each and every day. When that motion is utilized, then what we as members of the Legislature lose is the ability to read petitions into this Legislature by our constituents, who have formed together on a particular issue, who have with one voice by signing their names chosen to use their member to express their opinion.

That is an important area in this Legislature. It is a way in which the general public can see first hand that their opinions on one particular issue, unified, joined together, will be read by a member of the Legislature to be incorporated in Hansard for all time. That is important.

I have had on my desk a petition which has been signed by residents of Elliot Lake who have been concerned about the cancellation of out-of-province contracts that have resulted in 2,500 job losses. They have together signed a petition to fulfil a promise made by the Premier to the people of Elliot Lake by instructing Ontario Hydro to purchase all of its uranium.

Those are individuals who are not in my riding but have seen fit, as is their right, to utilize members of the Legislature to make their position known. That aspect of the Legislature and its workings are very important to its ongoing health, and the activity by the government House leader in what is, in essence, hopscotching from question period to orders of the day stops that. It stops each member from introducing legislation. It stops the government from introducing legislation. It is an issue, an example, where more and more aspects of the Legislature and its workings are being stopped. It is on that second area of this trilogy that I have some great concern.

The third area deals mainly with the actions of the government House leader today by referring to this new motion. I believe, Mr Speaker, that this motion is very much out of order. Much has been said about previous activities in this Legislature, all of which is true and well documented. Much has been made of the standing orders, especially 1(a) and (b), and I believe it is the position of the government House leader that standing order 1(b) is the mechanism, the root, that makes that particular motion valid or in order.

If that is the position of the government House leader, Mr Speaker, then I respectfully submit that by her own argument she has made your job easier because that particular standing order does not truly embrace the activities for which she wishes them to be used.

1640

We are today talking about, and I refer to the standing order, "In all contingencies not provided for in the standing orders." We may not agree with the particular tactics, procedural as they are, being undertaken by the third party. We may feel it is more important to deal with the issues of the day, the legislation at hand, to debate the budget in those areas where it is possible to so debate, and that is certainly a very valid position. But the government House leader has today foisted upon you an incredible responsibility, one which I believe is not in order, not in order because I feel that subsection of the standing orders is one which deals in areas where a particular party or member is

doing something which is not provided for in the standing orders; not necessarily excluded but not specifically included.

That is not the case here. What we have had in the past few weeks is the members of the third party doing what is permitted by the standing orders. We may not agree with what they are doing, we may not agree with the tactics they are employing, but there is no one in this Legislature who can stand here today and tell you they do not have the right to do what they are doing, that the standing orders do not embrace what they are doing.

If that is the case, and I believe it to be, then it must necessarily follow that subsection 1(b) of the standing orders does not permit the government House leader to move the motion she has today. It must be taken, then, that the motion is out of order. I believe this particular motion by the government House leader is not in order. I do not believe a ruling on its substance is necessary, because the reason for the motion by the government House leader is one which embraces an activity by the third party which is authorized specifically by the rules of this House. To say it is specifically authorized does not mean to say we agree with the procedure undertaken, but it is to say we recognize it is permitted.

This is a third area where I am in great opposition to the government House leader and to the government as a whole. The first, as indicated earlier, was the invoking of closure at a very early opportunity in dealing with Bill 4, stripping away from us as members of this Legislature what is our very basic right, that is, to stand in favour or to stand against any one piece of legislation.

The second aspect is that motion which is used as commonplace by the government House leader whereby we move from question period to orders of the day, thereby once more stripping members of their right to read petitions, to read in pieces of legislation, not just government pieces of legislation but a variety of pieces of legislation, to do what it is we were elected to do.

And third is this motion today, which I believe to be clearly out of order. I believe the standing orders do not permit this type of motion to be made when an individual or individuals are doing something which is specifically allowed under the standing orders.

Those are three areas which demonstrate clearly that the government House leader and the government have just lost control of this Legislature. We are left today with a leader of the third party who has clearly backed himself into one corner and the Premier of the province who has clearly backed himself into the other corner, each of them screaming at each other to take the first step forward, neither of them being able to do so, for whatever reason we do not know. The result has been committees of this Legislature not sitting; people coming before this Legislature, after having been invited before committees to share with us their particular expertise, being told, "Thank you, but you must go home and maybe come back again;" being invited a second time and a third time and being told again, "Thank you very much, you must leave; we can't listen to you;" we as members not being able to debate the issues of the day, the pieces of legislation of the day.

I believe the time is long overdue for the leader of the third party to take a step forward from his corner, for the Premier of the province to take a step forward from his corner. To put this matter aside, if it requires that the budget be put out to a committee, then so be it. The world will not stop spinning, the taxes will not stop being collected, the issues will continue, but at least this Legislature will again become a place for us to debate the issues, at least this Legislature will again house those committee rooms where people can speak and share with us their areas of expertise, at least this is a place where people can say work is being done.

This motion by the government House leader is one which is clearly out of order. I ask you, Mr Speaker, to read seriously the motion of the government House leader, as I know you will, recognize that the reason for it is one which is not embraced in the standing orders. Also, before I sit down, please recognize that this is a very dangerous precedent. In the unfortunate event that you rule it is in order, rule in favour of the government House leader, a precedent will be set in this Legislature which will in essence rip up the rules of our standing orders. There will be no necessity for those standing orders, because we recognize on the opposition side in our role as opposition that at any point in time the government House leader would be able to stand on this same type of motion. We would in essence have no rules we can use; we would have no certainty that the points we can make would be able to be made in the time we would like them to be made. It would be a ripping away of the fabric and the history of this Legislature. This is a motion which is clearly, in my respectful opinion, out of order. I ask you to take that into consideration.

In passing and in closing, we are talking about something very important in this Legislature, and it would be interesting to hear one government member apart from the House leader stand up and share with us his or her opinion, even if it be in support of the House leader, to stand up and say how this Legislature should work according to him. Their constituents demand that. It is their responsibility as members of this Legislature to stand up and say, "This is my opinion of how this Legislature should work."

Not one single member of the government side has stood up, apart from the government House leader, and said, "This is my opinion on how this Legislature should work." I am concerned about that. Take off those gag orders. Members should stand up for what they believe is right. Do not be afraid. Their constituents are watching; they want to see where their member stands on the right of members to debate in this Legislature. Members have that obligation and responsibility to their constituents. We on this side are taking that responsibility seriously. I challenge members. We have the rest of this day. Stand up; let's hear how members really feel.

The Speaker: The member for Etobicoke West, on the same point of order?

Mr Stockwell: Yes, on the same point of order. First, it is a shame the government has hijacked the House today through its naiveté and incompetence, I suppose, would be

the best thing we could chalk it up to. No question, the incompetence of this government is proving to reach new heights every day this Legislature sits.

Mr Speaker, I have a real concern, first of all, with why we are debating this, as you put it, alleged point of order. It has been suggested in this House by the government that you received this six-page outline on its point of order some hours if not days before 1:30 this afternoon. I have very real concerns with your decision to in fact allow this debate.

1650

My first concern is that the point of order from the House leader of the government side starts: "I rise on a point of order. My point of order is the constant use of repetitive motions for adjournment of debate and adjournment of the House."

What exactly is this government using as its point of order? What standing order is being contravened by this House, by this party? Point to me in the standing orders exactly the point of order they are insisting we debate today. They have not given the point of order in their entire brief because there is no point of order. There is no standing order that is being contravened in this House by our particular advancement for public meetings and for public hearings on the budget.

Mr Speaker, I have real concerns about your judgement on the request by the government. My first concern is that you did not ask the government to identify within the standing orders which standing order is being argued about today. They have not itemized it in their particular brief. They have not suggested which standing order is being argued.

Apparently you had this hours if not days before 1:30, and that was never requested by you of the House leader. I suggest they do not have it in here. They do not have it in here because there is none. I think it was incumbent on you to stand before this House at that time and ask the House leader exactly which standing order they were requesting you interpret for them, because that is really what a point of order comes down to. They would like your interpretation on a standing order and whether or not we are within our rights to do what we have been doing for these past six days.

Through their naïveté and incompetence, they have hijacked the House for another day. That is the first concern.

The second concern is that considering that you have had this particular document—

Hon Miss Martel: On a point of privilege, Mr Speaker: I believe that my privileges have been undermined. The member has alleged that information was given to you with respect to this motion hours before today or at least on the weekend. That is categorically incorrect and it should be withdrawn.

Mr Stockwell: I will certainly speak to that. As far as I understood, and I will be corrected, you received this particular point of order in advance. Was that not correct?

The Speaker: If it will assist, obviously this whole business is a bit contentious. I received notification at the

same time as your leader and everybody else at whatever time it was when the government House leader rose.

Mr Stockwell: Mr Speaker, I apologize. I thought it was stated earlier and I withdraw the comment. But my argument still stands. Why did you not request the government to itemize within the standing orders what standing order was being argued about? It is not in here.

Nowhere in this this six- or seven-page point of order, which is quite a long point of order, does this government point out exactly what it is taking exception to or exactly which standing order we are debating here today. Not anywhere in this document do they discuss exactly what rights are being trampled on by the opposition.

Mr Speaker, with all due respect to your non-partisan position here, I think it was incumbent on you to ask them just that question. I think I would have said to them, "What right is being trampled on by the Conservative Party?" That was not asked. It has not been itemized and it has not been stated, so we are having a long debate here about nobody knows which standing order and nobody is sure of what principles it is under.

Mr Speaker, another concern I have is that you are hearing debate on this. If they cannot list for your own personal information which standing order we are debating, it would seem to me that you would stand up and say, "If you cannot tell me the standing order, I am going to have to rule this point of order out of order." It seems like a logical approach to the debate that has been brought forward. Instead of that we now have the House hijacked for another day.

We now come to the discussion on the government's concern today with respect to our party and what we are doing to circumvent the normal proceedings of this House. This particular request by the government is very dangerous. In my opinion, it is a very dangerous attack on the democratic process. This might be a point of interest, a point of view or a disagreement, and we often have disagreements between the two sides of the House.

I am not debating that this is a disagreement. Yes, there is disagreement on how this budget was struck; yes, there is disagreement between our interpretation of a good budget for this province and the government's interpretation. I think that is healthy in a democratic society, but because we have a disagreement and because we do what we have chosen to do and this government does not like it, it is bringing in a motion in a very heavy-handed fashion—

An hon member: A dictatorial fashion.

Mr Stockwell: —a dictatorial fashion, very clearly dictatorial, to cut off the rights of the opposition parties. That is undemocratic, it is unreasonable and from the open and accessible government it claimed to be some seven or eight months ago, it is unbelievable.

They may not want to hear from the people of this province. Considering the budget, considering the fact that they are falling in the polls so fast they are beginning to crystallize, I can understand why they do not want to hear from the general public, but it does not mean that we as opposition have to kowtow to their particular agenda like their backbenchers have done for the past eight months.

The statement being made over there about their not having one member standing up to defend this is very clear. They cannot defend it. It is indefensible, just like their budget.

All this party was requesting was to do exactly what the government promised to do. Considering they have broken practically every one they have made, they would be nice if it could keep a promise. We were asking them to keep a promise to go to the people and ask them what they think of the budget that was brought down by this government. They do not want to do that. Although in 1982 they thought it was a good idea, some eight or nine years later they do not think it is such a good idea. It is very interesting how power corrupts.

Mr Speaker, in my opinion you are being used. You are being used by this government to bail it out from an awkward situation it finds itself in. They do not have the expertise and the ability or they do not find it within their domain to rise above whatever they need to do and negotiate a deal. They are asking you, without naming a standing order, to rule on a very nebulous point of order that no one can track down and rule on their behalf. They are using you to crush the opposition parties and to come down heavy-handed with no basis in fact, no basis in principle and no statement in this standing order book to rule against the opposition parties.

Mr Speaker, first, I do not think it is right that they should try to use the Speaker. Second, I do not think it is right that you should be entertaining argument on this. Third, it is not in order for you to hear debate on this because they cannot even tell you which standing order they are displeased with. All through this process they are asking you to remember which party got you elected. That is what they are asking you to do. They are asking you, "If you are really an NDPer, you've got to rule our way no matter how wrong, unfair and biased this process is."

Furthermore, they are asking you now to question the motives of the opposition parties. They are asking you to determine whether or not the motions put by us are unreasonable or unfair or not helpful for the operation of this House. They are asking you now to determine what our motives are for moving what motions. I do not really believe you can do that. You cannot question the motives of the government, you cannot question the motives of the official opposition and you cannot question the motives of the Conservative Party. In summary, you are here to maintain order with the standing orders of the Legislative Assembly.

This point of order does not have any semblance of fact within the standing orders. It does not deal with the realities of the situation which is contained in the standing orders. All it is is a government asking a Speaker to come down heavy-handed on the third party because it is so darned incompetent it does not know what it is doing. That is not a reasonable approach, Mr Speaker. I would ask that you right now stand up before this House and dismiss this bogus attempt of using your office and that we go to question period, because anything short of that is lending credibility to this piece of trash that cannot even outline exactly what standing order they are taking exception to. If they

cannot even tell you what standing order they are taking exception to, how are you going to hear deputation from all parties about whether or not it is in order?

Mr Speaker, nothing is in order about this debate. They are incompetent. They do not know what they are doing. That is not your fault so you cannot bail them out.

1700

The Speaker: Do any other members have a contribution to assist the Speaker?

Mr Curling: Mr Speaker, I want to thank you for giving me the opportunity to speak. As you know, and I go back in history, when you were elected, I was the individual who seconded the motion because I believe in the principle that a Speaker of the House should be elected and not an individual who would be leaning towards and favouring any specific party. I have a strong belief and confidence in your ability.

From time to time, Mr Speaker, what will happen in this House is that you will be challenged in this way. You will be challenged by individuals who will test your ability to rule on whether things are in order or things are in principle. When the government House leader had moved that motion I was appalled, not at the fact that she had asked you to rule on things—

Hon Miss Martel: Were you even here? I don't even think you were in the House.

Mr Curling: As a matter of fact, I think her observation is quite inadequate. She now states that she does not even think I was here. I was very much here when she read that very long statement that rambled along asking you, Mr Speaker, to find out whether or not—she did not ask you, she stated it was a point of order. I personally do not feel it is a point of order.

But I want to go back to the point, Mr Speaker. They are challenging you today to find out whether or not this is a point of order. If I can be of assistance to you, Mr Speaker: I have carefully looked at it. I went back and did my research and I do not find at all that is a point of order, if that is of any help to you. I know you listen to me very well because, as I said to you and I have said to the House, when you were elected I had that full confidence in the procedures that the House would conduct.

I am now questioning many of the things of this government that talks about an open government, that, "We shall not make favouritism in how we appoint people; we shall have legislative committees and cabinet committees that will assess people before we appoint individuals." But, oh, no, this is not done at all, Mr Speaker. I know your position now in ruling on this motion will come on the right side, will come on the side that it is uncalled for. As a matter of fact, as members have stated before, they are trying to find an individual, a scapegoat—you are not like that, Mr Speaker—to settle this dispute they have here.

I have been denied on many, many occasions to speak on behalf of the people of Scarborough North and I was completely annoyed, when Bill 4 was there, when closure was given and I did not get the opportunity to speak. Now they are trying the same strategy to shut us up.

Mr Speaker, there will be a time when we have to come to that point where I know the right to speak of every individual in this House will be protected. I am saying to you, as we debate this, whatever it is—the alleged, assumed procedure here—I ask you not to rule in favour of what they are asking you for. I think your credibility will be questioned. You are a man of high principles. I will lean on that and I am sure it will come in the right way.

The Speaker: Any other members who wish to be of assistance to the Speaker on this matter? Were there any concluding remarks on the point of order that are not repetitious?

Hon Miss Martel: Mr Speaker, there are several points I would wish to put for your consideration as well. I have heard many members of this House get up and try to say that they would challenge that anywhere in the standing orders of this Parliament there is in fact a section that the Speaker has some inherent authority to deal with the business and the matters pertaining to this House.

Mr Speaker, I want to go back to the standing orders and point out very clearly to all members in this Legislature wherein lies your authority to deal with matters in this House, whether inside or outside of the standing orders of this place. Section 1 clearly says, “The proceedings in the Legislative Assembly of Ontario and in all committees of the assembly shall be conducted according to the following standing orders,” and they are so listed.

Subsection (b) in the same section 1 then says, “In all contingencies not provided for in the standing orders the question shall be decided by the Speaker or Chair, and in making the ruling the Speaker or Chair shall base the decision on the usages and precedents of the Legislature and parliamentary tradition.” Mr Speaker, this is where we find that we have the authority to bring to you our case. This is the same section on which we would say to you a point of order has been legitimately raised and should be dealt with by this House.

Mr Speaker, I go back to some of the precedents of the Legislature and parliamentary tradition and refer to you what has happened in other jurisdictions in relation to this matter. The opposition made a mockery of the ruling that was made in 1881 and our use of that particular ruling. I would like to point out to you that not only did we use that ruling here, but the Tory Speaker in Ottawa, in the House of Commons, referred to that very same ruling in 1987 when he was forced to make a ruling in that House with respect to dilatory motions.

Mr Speaker, I want to read to you—

Mr Harnick: On a point of order, Mr Speaker: Clearly we are into the repetition that you were so concerned about in my—

The Speaker: Would the member take his seat, please.

Hon Miss Martel: Mr Speaker, it was not even worth a reply; you are quite correct. In any event, let me go back to the ruling that was made in 1987 in the House of Commons on this very point of dilatory motions and the authority of the Speaker to deal with dilatory motions, as the Speaker did in 1881.

I want to tell all the members over here in particular what Speaker Fraser said with respect to this very matter, and I quote.

The Speaker: Is that in the printed material I received?

Hon Miss Martel: This is new material. Interjections.

Hon Miss Martel: Yes, it is, Mr Speaker. It is not included in the material that I presented to you. The quotation is as follows: “The practice of using dilatory motions as a means of obstruction is undoubtedly sanctioned by our parliamentary practice. However, many parliamentary jurisdictions in the Commonwealth place restrictions on the extent to which they can be used. For example, in the British House of Commons the Speaker has the power to refuse a dilatory motion if he believes it to be an abuse of the rules of the House. By the same token, he is empowered to allow them if he believes they are justified.”

The Speaker continued and said: “I repeat my conviction that the entire question of the use of dilatory motions during routine proceedings needs to be examined and that no procedures should be sanctioned which permit the House to be brought to a total standstill for an indefinite period. Division bells are no substitute for debate.”

Mr Speaker, I point out to you that that is exactly the kind of nonsense we have been putting up with in this House for the last six days. We would like the opposition to have a chance to speak. I remind everyone that it is the leader of the third party who has the floor, and the leader of the third party does not want to exercise his right to speak. He is afraid to speak about this budget. Not only does he not want to speak, but he has put a gag order on the rest of his members. He has directed all of them to move dilatory motions so that no other member in this Legislature can speak. That is what has happened. That is what is going on in this House at this point in time.

What has happened in the last six days? Let me just tell all the good folk who are out there watching this. This government has moved to an order of business. We have spoken on an order of business and put our case; for example, the wage protection fund, which we dealt with on Tuesday. The official opposition also put its comments on the record. It came to the third party and it had the audacity to adjourn the debate. That is how much they want to speak in this House.

1710

Mr Harnick: On a point of order, Mr Speaker: The government—

Mr Drainville: What's your point, Harnick? Out with it.

The Speaker: I am entertaining a point of order by the member for Willowdale.

Mr Harnick: The government House leader has not said anything new. She has confined her remarks to a repetition of what is in this—

Mr Drainville: What's your point?

The Speaker: If the member would take his seat for a moment, let me remind members of the procedure involved

here. The Speaker has attempted to listen patiently to all of those who wish to be of assistance. The government House leader is now wrapping up, which is her right to do. I assume that she has a few more brief remarks to make. It would be helpful to all concerned if we would just relax—the temperature is hot enough in here—and hear the last few brief remarks. Then we can move on to other items of business.

Hon Miss Martel: Mr Speaker, as I was saying before I was so rudely interrupted, I am bringing new information to this House, relevant information, which is more than has been done by the third party.

Mr Harris: On a point of order, Mr Speaker—

The Speaker: Can this wait? This is some other matter, I take it.

Mr Harris: To be very brief, Mr Speaker, I agree with you that you have been very patient today.

An hon member: Debate the budget now.

Mr Harris: No, I just wonder if the House leader for the government, in her concluding remarks, could clarify whether all the examples she is giving us were pre-Magna Carta, pre-1492 or after.

The Speaker: If we are all relaxed, we perhaps can discuss the Magna Carta at some other time. It is close to my heart. Perhaps we can hear the concluding remarks from the government House leader.

Hon Miss Martel: It is most unfortunate that the third party would like to make a mockery of democratic procedures and rulings of other Speakers in this particular House. However, perhaps the best thing I heard this afternoon was the third party calling for an election. Can you imagine that with the Reform Party so close on their heels, these guys would call for an election? They would be out of here. There would not be many of them back, if any.

The two further points that I want to make are with respect to what we have requested of you this afternoon, Mr Speaker. I have heard many members try and say that what we are doing is in fact cutting off the ability of members to speak. I want to point out to all those members who have been sitting here for the last six days that what we are trying to do is stop the nonsense of the bells ringing so that all of us can have a chance to speak in this Legislature again. That is exactly what we are trying to do.

We have asked you, Mr Speaker, to take a look at precedents that are in other legislatures, both in the Commonwealth and in the House of Commons in Ottawa. I should point out to every member in this House that the whole matter of the dilatory motion is not in the standing orders in either of those jurisdictions. In fact, it is in practice that it has been used and it is in practice that the Speakers of those jurisdictions have ruled it out of order or indeed have moved that when a vote is lost a member of the third party or the opposition party will not be allowed to raise another point of order, will not be allowed to raise another point of adjournment, etc, and in fact the rotation occurs and continues and people do have a right to participate in the debate.

What we have asked you very clearly today, Mr Speaker, is to rule on the fact that a mover of a dilatory motion, once that motion is lost, should not be allowed to speak and the rotation should continue. That would let all of us participate in the debate. That is what we are here to do and that is what we would like to do, participate in this debate.

Mr Speaker, we have asked you one further thing, and that is a ruling from you as the Chair, who has authority under section 1(b) of these standing orders to deal with issues that are outside of the standing orders, to in fact use discretionary authority which has been placed in you to refuse to put the question on a dilatory motion that is frivolous. Mr Speaker, they have been frivolous for the last six days.

In closing, I submit to you that we have offered you precedents with respect to what happens in other legislatures. We have offered you precedents with respect to closure motions that have been put forward by other Speakers at other times and in other jurisdictions and reconfirmed as late as 1987. We ask you to consider all of these when you make your ruling.

The Speaker: Just to start a new item—

Mr Eves: On a point of order, Mr Speaker—

The Speaker: This is a new point of order?

Mr Eves: An entirely different point of order.

Mr Speaker: I would be very pleased to hear from you in just a moment. Another member had indicated a separate matter that he wished to bring to my attention.

Just so everyone is clear about this, first of all, I appreciate the contribution by the numerous members who participated this afternoon. I of course would welcome any written comments that you may have, either tomorrow or the following day, and I will come back with a ruling.

DRINKING AND DRIVING

Mr Malkowski: On a point of order, Mr Speaker: Earlier, the member for Willowdale, in response to the Attorney General's statement, said public relations was falling on deaf ears. That statement I cannot accept, so I demand that he withdraw this statement and apologize to the House.

Mr Harnick: Certainly I meant no disrespect when I used that statement. It is common parlance; it is a common phrase. I meant no disrespect to the member. The member knows me well and he knows that. I apologize if I offended him, but I will say that is common parlance of the day; it is a common expression and I meant it as no more than that.

The Speaker: To the member for York East and to the member for Willowdale, I am certainly aware that it is a colloquial saying which no doubt many people have used from time to time. The member for York East finds that it offends his ears, and it probably would be helpful if the member for Willowdale could simply withdraw the comment.

Mr Harnick: Certainly, Mr Speaker, I thought I had done that. If I did offend the member, I apologize. I note that the Speaker mentioned in his comments "offending

one's ears." I know that was not meant in any more than common parlance and I apologize if I offended the member. I was merely using a common, everyday expression and I meant no harm.

Mr Malkowski: I accept the member's apology, but just for his information, the month of May is Deaf and Hard-of-Hearing Awareness Month.

PARLIAMENTARY PROCESS

Mr Eves: On a new point of order, Mr Speaker: I will not take up much of your time, but just very briefly, Chairs of the committee of the whole House in this place sometimes find themselves sitting in the chair that you are in. We have been debating all afternoon a very important point of order and I would like to point that the member for Perth (a) is not in her seat, (b) is a Deputy Chair of the committee of the whole House and (c) presumably could be put in the position where she is going to be acting upon the point of order that is being raised. She has been sitting here while the government House leader was wrapping up, as you call it, applauding her point of view. How can a person who is going to be required and asked to sit as judge and jury be sitting there applauding on TV before you have made up your mind?

1720

Interjections.

The Speaker: Members, settle down, please.

Interjections.

The Speaker: If members would just relax a bit. I realize it is a warm afternoon, both figuratively and literally.

To the member for Parry Sound, in case there is any confusion, the point of order was raised with the Speaker. The Speaker will deal with it. I have heard all that has been said. I will deliberate on it and I will deliver a decision on it later. I do appreciate his interest.

It is time for oral questions. The member for Bruce.

Mr Elston: While we would like to start question period, we have but four—five ministers now—of the crown. I wonder if we could take a few minutes to wait for the ministers to return. This was started by the government party and I would like that we have a full complement of ministers back.

The Speaker: This is obviously an awkward position. Is it agreeable to allow a few minutes for ministers to arrive? Should we just continue?

Hon Mr Laughren: I think most members would understand that members of cabinet had lots of other pressing obligations and did not—

Interjections.

The Speaker: I require the members' attention. We have a choice here. As you know, we will not conclude question period by 6 o'clock. We can either adjourn now, if members wish, for the day, or we can simply begin question period. If it is your wish that we begin question period, then that is what we shall do.

Hon Mr Laughren: Mr Speaker, I was in the middle of a response when I was shouted down by the opposition. I think you would understand that members of cabinet do

not make appointments the same day that suddenly the members of the opposition decide that they want to spend the afternoon debating this, and I think it is eminently unfair for the members of the opposition to expect that all members of cabinet would be here in anticipation of a question period beginning at 5:30. I think that is simply unfair.

Interjections.

The Speaker: Would the member for Mississauga North bring himself under control, please.

The Speaker has very little latitude in this matter. The standing orders are quite specific. We can begin question period now. Obviously at 6 o'clock we adjourn. Some of the questions will naturally end up being redirected. It is time for question period.

Mr Scott: On a point of order, Mr Speaker: The question period is the single instance an official opposition like ours has to ask questions of the government ministers, and what we have confronted over the past couple of days is a dispute about how the House is to proceed that rages between the government and the third party. The problem is that today the government—

Mr Bisson: You spoke for two hours.

Mr Scott: Well, the honourable members on the other side will have to listen just for a moment while I make this point. The problem is that today the government provoked a dispute by introducing its point of order before question period began. If it had simply followed the normal rules of the House—I have been waiting here since 1:30 to ask my lead question—question period would have occurred at 1:30. Then the government House leader could have risen in her place and asked her point of order. If that had been done, the ministers would all have been accommodated and we would have had the advantage of having them all in their place for question period.

There are only four now. Four out of 30 are present, for reasons I understand perfectly. But if the government House leader had put her motion later, they all would have been here, question period would have taken place and the inevitable debate that followed on the House leader's motion would have gone on until 6 o'clock. This an important example of incompetent management of the House.

Interjections.

Mr Scott: As a member of a party that is not—

Interjections.

The Speaker: The member for London North, calm down.

Mr Scott: If the government House leader would stop yelling, I could perhaps finish up. If the government House leader would stop yelling, which is what has been going on most afternoons here on this issue, we could now—

Mrs Caplan: She's having another temper tantrum.

Mr Scott: Now, I implore the government, if it wants to stop this scene that is going on between the third party and itself, can it not do so without interfering with question period? The way to do that is to bring its point of order after question period so that the members in our party, who are here to ask questions, have the opportunity.

Do not look put upon, Mr Speaker, as if this is difficult. If you find it difficult, you can step down and there are deputies who can take your place. But I am entitled to make a point.

Mrs Caplan: Yes, he is.

Some hon members: Shame.

Mr Mammoliti: Point of privilege.

The Speaker: Point of privilege.

Mr Scott: I do not want eyeballs rolling at me when I am making a submission.

The Speaker: The member for St George-St David, a point of privilege was raised.

Mr Scott: Well, I am on a point of privilege.

The Speaker: No, you raised a point of order. A point of privilege is to be taken immediately.

Mr Mammoliti: On a point of privilege, Mr Speaker: I am very naïve at this game—I am a new member—but it really irritates me when the opposition and the third party attack us the way they do. Not only that, they are now attacking you. I find that very frustrating as a new member, and I think every one of them should be ashamed of himself and withdraw the comments.

The Speaker: It is not a point of privilege.

Mr Scott: I simply put the point this way: It is possible, even in these times of stress, to have both question period and points of order, and it is possible to do it in a way that does not inconvenience the cabinet ministers, who I know have other appointments and meetings and so on that they have to go to. Again, if in future this happens, I would recommend to the government House leader that the appropriate thing to do is to allow question period to run its course. Then the ministers can go about their business. If there is a point of order to be raised, it can be raised immediately upon the conclusion of question period.

The Speaker: To the member for St George-St David, I appreciate his contribution. The awkward situation is that it is not really a point of order. The standing orders are quite clear as to what the Speaker is supposed to do, which is to get on with question period. I have no latitude in that regard, but I do appreciate your suggestions.

Interjections.

The Speaker: One at a time. The member for Bruce, and then the government House leader.

Mr Elston: Since I had requested that we recess for a few minutes to wait for the ministers to come in and that has been rejected, might I ask if the Deputy Premier, the member for Nickel Belt, would allow us to ask the questions of the parliamentary assistants, as is allowed under the standing orders?

1730

Interjections.

The Speaker: A seemingly helpful suggestion suddenly gets everyone excited. That part I do not understand. If folks would calm down, then under the orders they can do that. One moment, please.

Under the standing orders, that procedure which the honourable member for Bruce suggests can be done only if authorized by the Premier, not by the—

Interjections.

The Speaker: The rules specifically state the Premier, not the Deputy Premier.

Hon Miss Martel: I appreciate the free advice that I have been given, but I certainly have no intention of taking it, especially given the quarters it is coming from.

I would like to point out very clearly that last week on two different occasions my cabinet colleagues and I came to this House at 1:30 prepared to have question period, and on two occasions the third party, before we began question period, began raising points of order with respect to questions in Orders and Notices. At both of those times they saw no problem in wasting between 45 minutes and an hour of the House's time so that we could not get to question period. So I do not particularly intend to take any of the free advice that has been offered here today.

The second point I want to put on the record is that this afternoon I moved a motion. I was the only one who spoke to it from the members of our party. The other parties continued on and on and on and delayed all afternoon. I think we should just proceed to question period.

Mrs Caplan: I rise on a question of personal privilege, Mr Speaker. I arrived in this House today ready for question period and, as all members know and anyone watching the House at this time would know, question period is the time when the government stands accountable for the policy decisions and the actions that it has taken.

I understand that you have a difficult task in calling to order the members of this House, but I believe that my privileges as a member were affected when the government House leader stood up at the beginning of question period today and called a point of order which she clearly knew would result in lengthy debate.

Following that debate, the government House leader has not seen fit to produce ministers for question period, and I believe that this is a legitimate point of privilege. I would ask, Mr Speaker, not only that you rule on that but that you direct the government that it must have its ministers ready and in fact rule negatively on the government House leader's point of order, which I believe was not a point of order, but was an opportunity by the government to not have to stand accountable during question period and to rob me as a member of my right to represent my constituents.

The Speaker: To the member for Oriole, I understand the concerns she has raised. It is not a point of privilege. What is in order is that it is time for oral questions.

ORAL QUESTIONS

TAX INCREASES

Mr Bradley: One advantage of this is that I just made it to the top of the list on the questions, but that is the only advantage.

I think I will ask this question of the Minister of Industry, Trade and Technology, who is lurking behind the shadows over there and is making his way quickly now. I think

he wants to hear this question. This is a question about the automotive industry. The minister would be interested because he represents a community which is involved in the automotive industry and because he is a representative in the cabinet who is speaking for the automotive industry and others.

My question is related to the tax which has been extended to some automobiles, doubled on other automobiles, and is having a very significant negative impact on the automotive industry in Ontario.

I quote to the minister from an open letter to the Premier and the Treasurer from General Motors' Local 199 bargaining unit in St Catharines. It said, "Lower emission standards are the answer to saving the environment, not higher taxes."

It also said: "GM workers' jobs in St Catharines could be threatened because they produce the V6 and V8 engines for vehicles that are subject to the tax. Auto workers, as individuals or through their unions, played a major role in the election of your government and contributed tens of thousands of dollars from their wages to that end."

The committee's letter stated, "We don't expect special treatment but we do expect fair treatment and not to find our jobs threatened by ludicrous tax policies."

In the midst of the deepest recession since the 1930s, when automobile sales are extremely weak, when the automobile-producing companies in North America are losing millions upon millions of dollars and when the Canadian auto industry is facing unprecedented competition from the United States, from Mexico and from offshore, would the minister implore the Treasurer to withdraw this tax and bring in measures which are more positive in nature, incentives to encourage what he claims he is trying to encourage through this punitive tax?

Hon Mr Pilkey: I appreciate and thank the member for his question and more particularly for his concern about the health of the automotive industry in Ontario.

The automotive industry is, of course, a linchpin to the Ontario economy, and I am very proud of the fact that I come from a riding that boasts an automotive manufacturer and car assembly plant, one of the most productive and high-technology automotive plants anywhere in Ontario, Canada or throughout the world.

Apparently, only 1% of the vehicles assembled in Ontario plants are subject to this tax. About 90% of the vehicles assembled in Ontario are exported out of this province and therefore the vast majority of the production is not affected; therefore, the vast majority of the jobs are not impacted as a result of this gas guzzler tax.

The Treasurer has indicated that he imposed that tax for environmental reasons, and I am sure that when he feels that kind of tax is not necessary or inappropriate he will review it in the light of that circumstance.

Mr Bradley: John Clout, who is the chairman of the bargaining unit of Local 199 and a person who has always been noted for speaking his mind no matter what, says the following, to assist the minister perhaps in this question:

"I have remained silent. But I cannot remain silent when the tax policies of any government, even one I

support, are so regressive and asinine that they threaten the jobs of an industry I have worked in for 26 years and a membership I have served as an elected union officer for over 11 years.

"Imposing this tax at this time on an industry that represents the industrial base of our community and province and which is reeling already from the free trade agreement is mind-boggling to say the least. And this from a government that draws its support from workers' wages and votes. One can only assume that our policymakers are a bunch of incompetent so-called intellectuals who haven't got a clue of what goes on in the real world of industrial labour."

I could not agree more with that statement and I ask the minister as a result, in view of Mr Clout's comments, in view of the comments of Local 199 bargaining committee, in view of the comments and worries of auto workers all over Ontario, will he not recognize that this has a very negative effect on jobs in the automotive industry today and ultimately for many years to come, and will he not suggest in the strongest terms to the Treasurer that he withdraw this ill-conceived tax?

1740

Hon Mr Pilkey: I believe the Treasurer certainly has heard the member's words. I do not believe any tax that was created throughout this budget would be welcomed or endorsed by any particular sector that has been impacted by any tax increase, whether it be a personal income tax or a corporate income tax, in which I understand there were no increases whatsoever. In any of those areas that were impacted, I am sure they would not have been well received. It is not therefore a particular surprise to me that this one was not well received either.

The good news, as I said, is that about 90% of that production is being exported to jurisdictions outside Ontario and therefore that production and those jobs are not impacted.

In terms of the Treasurer, I am sure that he has heard the words of those who have raised their voices in concern, as well as heard the member's voice here this afternoon, and I am sure the Treasurer will give appropriate consideration to those voices of concern.

Mr Bradley: Mr Clout, who, as I said, has fought for automobile workers in the province of Ontario for so many years, says:

"While I still hope for some good things from this government, its stupidity and incompetence is quickly leading me to lose faith, as I know it is many of our members. This government and in particular our local MPPs had better understand that we are workers and unionists first and NDP members or supporters second, so they had better get their act together and rescind this tax and put it where it belongs."

In view of these comments and in view of the fact that there is another way of achieving what the government claims it wants to achieve, in view of the fact that it could legislate lower emission standards, as our government worked with the government of Quebec and the federal government to have implemented here in Canada, and in

view of the fact that it could have legislated fuel consumption requirements on all vehicles that are sold in North America, and in view of the fact that the best thing it can do both for the economy and for the environment would be to introduce incentives designed to replace older vehicles which are not efficient in terms of their miles to the gallon, as they used to say, and in terms of their automobile emissions, in view of the fact that all of those can be done, would the minister not suggest to his members in the cabinet that this tax be completely withdrawn and that they go back to the drawing board and introduce measures which will improve both the environment and the economy of the automotive industry in the province of Ontario?

Hon Mr Pilkey: As I indicated before, I am sure the Treasurer has well heard the comments from the member. I would not be surprised if he has not received the odd bit of correspondence from a few selective sources with respect to this proposal who have indicated some degree of non-support.

It is interesting to note, though, that apparently I am advised that Canadian Auto Workers President Bob White, who is well known to everyone, stated that changes to the gas guzzler tax are unlikely to affect his CAW members. From another source, Chrysler Canada publicly stated that no jobs are at stake as a result of the changes to the gas guzzler tax as reported in the *Financial Post* on 1 May 1991.

I hope that adequately responds to the question from the member. I can appreciate, as I said earlier, that no tax on any sector or any manufacturer that would impact any particular sector would ever be well received.

SKILLS TRAINING

Mr Cleary: My question is to the Minister of Education. I am sure the minister shares my view that, without qualification, Ontario's most important resource is its people. However, I am very concerned over the government's recent action which opposes the full support and development of this province's human resources. I refer of course to the Minister of Education's decision to reduce the Ontario Basic Skills/Futures pilot project on 21 June 1991.

As I made the minister aware in a letter of 8 May, the Ontario Basic Skills pilot project is a program for adults requiring literacy, numeracy, job creation, search techniques and other basic skills upgrading, which will increase their access to advanced training and employment.

It has been estimated that in the Cornwall area one out of 19 residents has less than grade 9 education. Further, approximately half of the population has between a grade 9 and a grade 13 education. I believe the Ontario Basic Skills/Futures project has been very beneficial to the 99 workers who have utilized it in this program. If the program were to continue in its full form, obviously many more people would benefit.

In view of this situation, why has the Ministry of Education decided to cut back a program that is very important to the unemployed workers in the Cornwall area and important in this recession?

Hon Mrs Boyd: I agree with the member that the Futures programs have been very helpful, and indeed the ministry continues to support these projects at a very high

level. In addition, we are one of the recipients of the money that has been announced in terms of the worker adjustment fund, and a lot of that money will be directed in the same direction. So although individual projects may not have continued their funding in certain areas, the ministry has not dropped its commitment at all, and in fact the government has been very clear about its commitment in this area of skills development.

Mr Cleary: As the minister is aware, Cornwall has been hard hit by the recession. A significantly high number of plant closures have translated into an unemployment rate of 20%. Further, the latest figures demonstrate that well over 10,000 area residents receive either unemployment or welfare benefits.

What will the ministry do to help unemployed workers in the Cornwall area who will not be able to participate in the Ontario Basic Skills/Futures pilot project as of 21 June 1991, since we all know that the recession will still be haunting us then?

Hon Mrs Boyd: Although this pilot project may not go on, as I said to the member, the worker adjustment fund, which is directed specifically at the groups that he has talked about in his question, will be available for project funding. It is not a question of not considering this an important issue for areas like Cornwall that have been hard hit. We certainly agree with him that there is a necessity for programming there, and we look forward to applications for programs that are specifically geared to deal with those people who have been hit by the recession.

Mr Cleary: When I meet with some 80 or 90 of my constituents later this week, can I tell them that the minister said that those other programs would be available to those constituents?

Hon Mrs Boyd: What I said was that those constituents and that area can apply for funds under the plan, and if they have programs that are acceptable under the criteria of the plan, I see absolutely no reason why they would not qualify, given the economic circumstances of the area.

The Speaker: A point of privilege, the member for Mississauga West.

Mr Mahoney: You were yelling at the one from the North earlier. I am the good guy from the West.

On a point of privilege, Mr Speaker, I am feeling somewhat violated here.

Interjections.

Mr Mahoney: I knew it would draw some reaction. But in all seriousness, under a point of privilege, I have been carefully reading through our book on the rules, and under part V in the standing orders, subsection 21(a), it states, "Privileges are the rights enjoyed by the House collectively and by the members of the House individually conferred by the Legislative Assembly Act and other statutes, or by practice, precedent, usage and custom."

Subsection (b) then goes on to say, which I am sure you know, that, "Whenever a matter of privilege arises, it shall be taken into consideration immediately."

The House leader referred to standing order 1(b), wherein she stated that you had the authority to rule earlier

on her point of order under the contingency section of our standing orders. I would suggest that perhaps there is not something in the standing orders that deals with lack of attendance by members of cabinet at question period. There may not be a rule specifically in there. Therefore, perhaps it comes under contingency.

1750

There is probably not a rule in here that deals with the fact that the government has chosen to fill up the cabinet section of its side of the House with members of the back bench to give some appearance that indeed there is a substantial attendance during question period. There perhaps is not anything in here that deals with the fact that the Premier and other members of cabinet whom we would like answers from are not in attendance, and perhaps there is nothing here that deals with the fact that members of the press gallery are not in attendance to perhaps record the questions and the answers—

Interjections.

Mr Mahoney: Well, there are some here. One dedicated member of the press gallery is here to record not only the questions by members of the official opposition but indeed to record for the public and for members of all our constituencies the answers or non-answers by the members of the cabinet.

Mr Speaker, if we use the House leader's own logic, who has admitted that she put this draconian measure before you on your table for discussion, if you use that logic that she did it because the Tories did it the last few days of the sitting and delayed the House—"If they're going to be nasty, then I'm going to be nasty," that is what she said—I feel, Mr Speaker, that under standing order 21(a) my rights and my privileges as an individual member and indeed the rights and privileges of all of my colleagues have been clearly violated.

I also believe, Mr Speaker, that under the terms laid down for you by the government House leader under standing order 1(b) this would fall under contingency since it is not spelled out in the rules. If we are to accept the House leader's words and interpretation that the Speaker or Chair shall base the decision on the usages and precedents of the Legislature and parliamentary tradition, coupled with the statement that refers to the standard procedures in the Legislature, I would fail to see how, Mr Speaker, taking into consideration this document, you could rule anything other than the fact that my individual member's privileges have been violated along with my colleagues. I would ask you to rule on that.

The Speaker: To the member for Mississauga West, I appreciate the point of privilege which he raises. I will be pleased to report back to him at a later date. What I do know from the standing orders is that I think the only appearance I can compel is my own, which I try to do every day.

Interjections.

The Speaker: I have heard your point and I will reserve judgement on it and I will try to get back to you as quickly as I can.

TAX INCREASES

Mr Stockwell: My question is to the Minister of Industry, Trade and Technology. I was very curious about his response to the previous question, with his answers about Bob White supporting the taxation on the gas guzzlers.

I would like to alert the minister to an article appearing in the St Catharines Standard on Friday 10 May.

"Canadian Auto Workers President Bob White appears to be having a change of heart over the province's new tax on gas guzzling cars. In a letter written Wednesday to Treasurer Floyd Laughren, Mr White says his initial reaction to the tax on budget night last week was that it would have a very minimal impact on the automotive industry in Ontario."

He goes on: "But since then he has said he has received a list of the vehicles that will be taxed. 'Many of these were not included in the original gas guzzler tax of the past government. In addition, we had discussions with senior officials of the motor vehicle manufacturers based in Ontario and, to say the least, they are very concerned about the implications of this tax on jobs, sales and profit margins.'"

Considering that the government quoted Mr White in the past and it takes great interest in his comments on exactly how to form government policy, considering that he has changed his mind because it is a bad tax, can we expect the government to change its mind because it is bad tax?

Hon Mr Pilkey: I have in my hand the letterhead of the national president of the Canadian Auto Workers, Robert White, a newsletter circulated to the membership that indicates that only about 1.5% of vehicles produced here are impacted, and further, that this new tax will have a rather minimal impact on jobs. If Mr White has had a change of heart or there is some additional information, I am confident he would be prepared to share that with the Treasurer; and if he has not or will not, the member certainly has.

As I indicated earlier, the impact appears to be minimal. I am sure the Treasurer has heard these concerns. No tax is popular with anyone upon whom it is imposed and I am sure if there is new information brought to light it will be aired accordingly.

Mr Stockwell: If the members opposite applaud that, they obviously are hopelessly biased on this particular issue.

I believe the document the minister is quoting from is dated 3 May.

Interjections.

Mr Stockwell: This comment was made 10 May. Maybe the minister should get himself updated.

Mr O'Connor: On a point of privilege, Mr Speaker—

The Speaker: This seems to be a day for points of privilege. The member for Durham-York.

Mr O'Connor: I have been sitting in this House for quite a while now listening. On 30 April the honourable member opposite mentioned the impact the gas guzzler tax was going to have on the workers of Ontario. We heard it again today and we heard it from—

The Speaker: Your point of privilege?

Mr O'Connor: The point is that for 11 1/2 years I worked on the assembly line. My father-in-law has put 35 years on the assembly line. Not once did the price of the car ever come to the worker on the floor, asking him what he thought it would do to his job.

The Speaker: It is certainly a point of disagreement. The honourable member for Etobicoke West with his supplementary.

Mr Stockwell: After that outbreak, quite apparently the minister's job is safe.

The document the minister is speaking about is dated 3 May. Mr White made these comments 10 May. He has had a dramatic change of opinion on the gas guzzler tax. He has requested a meeting with the Treasurer. He does not believe in this tax. Maybe the minister should update himself with exactly how the people who got him elected, both financially and with their feet, believe in his tax on the automotive workers in this province.

My question is, considering he is so out of date, would he be prepared to bring himself up to date, meet with Mr White, understand he opposes this tax and change his

government's tax? The automotive workers oppose it, the unions oppose it, Mr White opposes it, the opposition opposes it and the car industry opposes it. Would he agree to have public hearings on the ill-conceived, poorly planned tax and allow the automotive workers who are opposed to it input into discussions on this tax?

Hon Mr Pilkey: Being a lifelong resident of the city of Oshawa and given my relationship with the automotive industry, I would like to say to the member for Etobicoke West that we appreciate his new-found interest in the automobile industry and the health of auto workers across this country. I suppose it is better late than never.

In terms of any additional or new information Mr White may be bringing forward, I have always known the Treasurer to be one who is open, ready and willing to have consultations with Mr White, the presidents of automobile companies or the head of any other sector. I am sure if there is new, additional information, the Treasurer will be more than pleased to receive it.

The House adjourned at 1800.

ERRATA

No.	Page	Column	Line	Should read:
31	1292	1	42	Mr Bradley: —and symbols which are very significant
31	1298	1	1	Mrs Witmer: Mr Speaker, on a point of order: I rise on a point of order under standing order 95(d). On 22 November 1990 I tabled order paper question 248, which reads as follows:

ALPHABETICAL LIST OF MEMBERS

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Speaker: Hon David Warner

Clerk of the Legislative Assembly: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees: Smirle Forsyth

Clerk Assistant and Clerk of Journals: Alex D. McFedries

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Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines and to the Minister of Northern Development
Boyd, Hon Marion	London Centre	NDP	Vice-Chair, standing committee on Ontario in Confederation
Bradley, James J.	St Catharines	Lib	Minister of Education
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Hon Brian A.	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
Churley, Hon Marilyn	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
Elston, Murray J.	Bruce	Lib	Co-Chair, special committee on the parliamentary precinct
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	House leader
Fawcett, Joan M.	Northumberland	Lib	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Ferguson, Will	Kitchener	NDP	
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Frankford, Robert	Scarborough East	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Gigantes, Evelyn	Ottawa Centre	NDP	
Grandmaitre, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities

Name of member	Constituency	Party	Other responsibilities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Chair, standing committee on regulations and private bills Vice-Chair, standing committee on finance and economic affairs
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	Chair, standing committee on resources development Parliamentary assistant to the Minister of Energy
Jackson, Cameron	Burlington South	PC	Chair, standing committee on estimates
Jamison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chair of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	Chair, standing committee on resources development
Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Health, Chair of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
Mackenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
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Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
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McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the Whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition

Name of member	Constituency	Party	Other responsibilities
North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs
Rae, Hon Bob	York South	NDP	Premier, Minister of Intergovernmental Affairs
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White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
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Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	

Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

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**Legislative Assembly
of Ontario**

First Session, 35th Parliament

**Assemblée législative
de l'Ontario**

Première session, 35^e législature



**Official Report
of Debates
(Hansard)**

Tuesday 14 May 1991

**Journal
des débats
(Hansard)**

Le mardi 14 mai 1991

Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 14 May 1991

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

AUTOMOBILE INSURANCE

Mr Chiarelli: The NDP advocates a public auto insurance plan. The Treasurer claimed several weeks ago that this should bring down insurance premiums. Unfortunately, the recent NDP budget actually taxed premiums payable on private automobile policies. This means that every auto insurance company in Ontario is now required to pay a tax of 3% on all insurance premiums.

By imposing this pass-through tax the NDP government has effectively increased the insurance premiums which will be paid by consumers. While many insurance companies had applied to the Ontario Insurance Commission for premium cuts under the current legislation, these companies will now reconsider their plans to reduce rates. Two companies have already announced that they are reconsidering.

This tax breaks the NDP's election promise to reduce insurance rates and leads the people of Ontario to question the credibility of the NDP's concern for the ordinary driver.

This premium tax has been imposed in a total policy vacuum. Just last week, NDP backbenchers and the Premier himself appeared on TV saying no decisions had been taken and acknowledging that caucus and cabinet are still split on major aspects of this legislation.

This really is the gang that cannot shoot straight.

SEWAGE TREATMENT

Mr McLean: My statement today is for the members of this Legislature and the people of the province of Ontario and is directed to the Minister of the Environment.

It is my understanding that 400 Ontario municipal water treatment plants produce about 1.6 billion gallons of sewage sludge each year and most of these plants are working at capacity. Only 277.5 million gallons are applied to farm land as fertilizer, and that amount is certain to decrease because there are more farms going out of production.

Sewage disposal companies need to store this waste in lagoons during the winter months and her ministry is making it increasingly difficult for these companies to use existing lagoons or to have new ones built to meet the growing demand.

Many of our municipal waste treatment plants are located on shorelines. The minister is inviting the municipalities and disposal companies to turn on the taps and empty waste into our water systems, which are used for drinking, swimming and recreation. This could easily occur because of the bureaucracy she has created and the lengthy delays for approving new storage lagoons.

I urge the people of Ontario to pause and reflect on the problem they are adding to every time they flush the toilets, and I urge the minister to cut the bureaucratic red tape and speed up the approval process to permit sewage disposal companies to build the lagoons they so badly require.

She subsidizes the municipalities; why does she not help the private companies?

BREAST-FEEDING

Mr Frankford: Without breast-feeding, the human species would not have survived over the millennia. Only within recent decades has commercially developed artificial feeding become widespread.

Unfortunately, this is an advance of uncertain benefit. Studies demonstrate increased risk of disease, including infections and allergies, with artificial feeding. Not only does this produce greater costs for health care systems, but the cost of purchasing formula is a substantial one for families, and of course the packaging adds to the solid waste problem.

Ten years ago, in May 1981, the World Health Organization passed a code of marketing of breast milk substitutes recognizing the commercial pressures that have led to a decline in breast-feeding. With the exception of the United States, all member countries, including Canada, voted in favour. The need for the code exists in all countries—industrialized and less developed.

It is unfortunate that the Canadian federal government has chosen not to fully implement the code. I hope that our government and the ministries representing health, child welfare and the environment will ask the federal Minister of National Health and Welfare to proceed to full implementation with no further delay.

At the same time breast-feeding must be encouraged. I am pleased to inform the House that this afternoon health professionals in Toronto will be meeting to discuss the breast-feeding protocol, a project funded by the Hospital for Sick Children Foundation. The protocol will improve and develop the breast-feeding knowledge of health professionals, policies and practices of health agencies that affect breast-feeding and the information given to breast-feeding mothers by health professionals.

I am sure members of this House would like to congratulate the health professionals, hospitals and non-government organizations involved in this.

VISITORS

Mr Micalash: Today I rise in my place to welcome a very special group of people to the House. The students with us today are from one of the intermediate schools in the province farthest from Queen's Park. They are from Lakewood Intermediate School in Kenora. As a matter of fact, as I have often said, they are from a point in the province farther away than Miami, Florida, some 1,855 kilometres from Toronto.

In this group are my former colleagues, teachers with whom I taught, the children of many friends and even another Miclash. The group, known as the Lakewood Travel Club, has worked very hard at fund-raising to make this trip possible. As well, they have had to contribute a good number of dollars on their own. As a matter of fact, a return ticket from Kenora is now selling for approximately \$850. With accommodations and meals, one can well imagine the expense incurred by this group.

During their visit to the area, the group has made visits to the Ontario Science Centre, the CN Tower, Niagara Falls, the SkyDome—they actually saw a game between the Chicago White Sox and the Toronto Blue Jays—the Phantom of the Opera, the zoo and McMaster University in Hamilton.

Leaving here today at 2 pm, they will fly from Pearson International Airport to return home, and of course it is back to school tomorrow morning.

I would like the members of the House to welcome the students from Kenora to Toronto today.

1340

COURT SYSTEM

Mr Sterling: I rise today on a very serious matter, that being the beating to death of Terry Dale of Ottawa. This is a manslaughter case which was stayed by an Ottawa judge in April, based on the Askov decision, because it took 10 months and 18 days to come to court.

By way of this statement today, I am asking the Attorney General to help reinstate Ontarians' faith in our justice system and appeal the Murdock decision.

I would like to deliver to the Attorney General approximately 160 letters I have received from constituents, which express their dismay with this judgement. These letters, which are addressed to the Attorney General, contend that the decision to stay is completely unacceptable because a human life was taken. The Attorney General will know that since the Supreme Court of Canada gave judges new guidelines on court delay last fall, 35,000 cases have either been stayed or withdrawn. This is the most serious charge to be stayed. In fact, I believe it is the only homicide case.

There are currently very serious concerns among Ontarians, valid concerns about their personal safety and the feeling that our justice system is being eroded. I believe it is incumbent upon this Attorney General to call for an appeal in the Murdock case and, in so doing, help reinstate public confidence in law and order and our justice system.

CLASS PROJECT

Mr Hope: It gives me a great deal of pleasure to congratulate the grade 3 class from the Dresden Area Central School on its fine work on this quilt. This quilt is a project for their Education Week.

It is indeed refreshing to see young people of Kent county express their points of view on the environment and how we must preserve it in order to preserve this planet.

Special thanks go to Mrs Erny and also to Mrs Lamouré, the grade 3 teacher, for the fine tax dollars that our education system has been putting forward in making

sure the emphasis behind the environment is one of the keys to the future of the young people of Chatham-Kent. I congratulate the students for the fine work they have done.

PETROLEUM ADDITIVES

Mr Elston: I would like to remind the Minister of the Environment about an issue I raised with her on 13 December by way of a question. I brought up with her the issue of Ethyl Canada and its proposed plant expansion to produce lead-based, anti-knock gasoline additives because of the issue of expanding in an area of product development and production which we no longer use in large amounts here in the province. This product is destined for overseas markets with weaker environmental laws, where the product is still legal, unlike in this jurisdiction.

At that time, the Minister of the Environment stated that she was unaware of the issue because she was unable to find the material on it. Later she thanked me for bringing it to her attention. She also assured me that she would exercise her authority within the limits of the law.

On 19 February, the Globe and Mail indicated that Ethyl Canada had submitted plans to the ministry for approval and hoped to begin construction this year for completion in April 1992. On 28 February, I wrote to the minister and to this date there has been no reply.

In late April, Greenpeace Canada stated that, "Any government that permits increased production and exports of a substance that has been banned at home for human health reasons is guilty of moral and environmental crimes."

I want to remind the Minister of the Environment that as of the middle of May I still have had no answer to my question initially put or a response to my letter. I ask her to respond.

SENIOR CITIZENS

Mr Jackson: For the first time in Ontario's modern history, a Treasurer has read a budget which did not mention the word "seniors" even once during the 45 minutes it took to read it.

The budget was absolutely silent on the critical issue of long-term care and gave no indication whatsoever about this government's intentions with respect to long-term care reform. During the budget lockup, Treasury officials spoke briefly of \$102 million for long-term care. If this was a real funding commitment, why was this sum not mentioned in the budget statement? Is this money a new allocation to seniors or is it a carryover from previous funding programs? Again, silence.

The budget's silence on community-based care for the elderly is also a matter of great concern. There are still no provincial standards or long-range support programs in place for community-based nursing care, nor are there accountable mechanisms for the establishment of fairer staffing and wages for workers involved in more complex in-house seniors' care procedures.

There was silence on the issue of elder abuse and its impact on the lives of those seniors who are its victims. There was silence on the closing of psychogeriatric wards

in Ontario hospitals, furthering the tragedy of those seniors afflicted with Alzheimer's disease.

This socialist government's silence on seniors' needs speaks loudly about the fact that it is deliberately ignoring the medical and social needs of Ontario's elderly. On their behalf, I call on the Premier to recognize the fundamental dignity and rights of Ontario's seniors and to move quickly to address their needs. If he does not, he will learn the political lesson that when it comes to the issues of justice for seniors, silence can indeed be fatal.

MEMBERS' CONDUCT

Mrs Haslam: As members know, I am fortunate to have access to some of the best theatrical talents in Canada. I speak of course about the Stratford Shakespearean Festival. Last weekend I also attended an amateur production of *Music Man* presented by the St Marys Community Players. But the acting and grandstanding I have seen here in this House for the past week far surpasses any performance I have ever seen at home.

They say that theatre mirrors life and that there are no small parts, just small actors. Perhaps members would like to join me as I try to figure out some of the players here in the House by examining some of Shakespeare's more famous characters and their talents.

There is the buffoonery of a Falstaff, the confusion of a Hamlet, the desire to be king of a Macbeth, the half-truths and innuendoes of a Richard III and even the giggling tricks of a Puck from *A Midsummer Night's Dream*. How much longer must we be subjected to this comedy of errors?

Interjections.

The Speaker: I trust that the Speaker escaped that.

Mr Sorbara: How can you allow an attack on the Speaker of the kind we've just heard?

The Speaker: Far be it from me to be a theatre critic.

VISITORS

The Speaker: I invite all members to welcome to our chamber this afternoon two members from the Quebec assembly: Ghislain Maltais, the member for Saguenay and Denis Lazure, the member for La Prairie.

STATEMENT BY THE MINISTRY

HEALTH SERVICES

Hon Ms Lankin: Along with my colleague the Treasurer, I am pleased to present to the House today a document outlining the government's steps to better manage health care, a management undertaking we intend to accomplish while improving standards of care and upholding the principles of medicare. Further, we are committed to this mission in partnership with health care providers and health care consumers.

The document is a supplementary paper to the 1991 Ontario budget and represents a collaborative effort between the Ministry of Health and the Ministry of Treasury and Economics. It contains a more detailed discussion of the health management measures announced in the budget and sets out the government's strategy to guide the health

care system more prudently and effectively over the medium term.

Our budget included a multi-year fiscal plan which had as an essential ingredient a new management system in health care. It will draw together government, providers and consumers to form a new partnership.

Health care expenditures in Ontario have been increasing at 12% a year over the past decade. It is clear we must act to ensure that the resources we dedicate to health care are spent more effectively, efficiently and with greater economy, all the while increasing the quality of the system.

The paper provides a profile of health care expenditures over the past decade. It is, as we all know, a record of steadily increasing growth. This is a matter of great concern because, if left unchecked, the costs of our health care system threaten to overwhelm all other government expenditures.

1350

On 29 April, in his budget statement, my colleague the Treasurer announced the government's intention to address three major areas in health: a new accord ensuring an era of joint management between the government and Ontario's physicians; payments for out-of-country health services; and measures to manage the Ontario drug benefit plan more efficiently and effectively.

Measures introduced in these areas will save approximately \$260 million in 1991-92 and \$570 million in 1993-94. At the same time, the government will work towards continuous improvements in our health care system.

The paper spells out more clearly how government will manage these areas, detailing each in turn and providing our scenario for management. Both the Ministry of the Health and the Ministry of Treasury and Economics will have copies available for distribution.

In the past two weeks I have been pleased to share with the members announcements of major importance concerning two of three areas the Treasurer has mentioned: details of the agreement with the Ontario Medical Association and our new out-of-country payments policies.

Today I am pleased to announce several new measures that will help the Ministry of Health provide better management of its Ontario drug benefit plan. I want to stress that these are but the first of a series of initiatives that we plan to introduce around Ontario drug benefits.

The government wants to ensure that there is optimum value obtained for the money spent on this program. It is a program in which cost increases have outrun increases in the number of people who have benefited.

The Ontario drug benefit program was established in the mid-1970s to fill the very real need of seniors and those on social assistance to obtain essential drug therapy. Since then, the ODB program has grown enormously. Despite having been expanded to include all seniors and not just those with low incomes, the program serves barely twice as many people as it did 15 years ago, but it costs nearly 21 times as much.

Some of the growth in the program represents the addition to the program of drugs that meet a real therapeutic need. Other growth is accounted for by increases in drug costs as well as increases in the number of prescriptions

per person. But unfortunately some of the growth in the program has come because of insufficient management of expenditures by government. We have been paying for courses of drug therapy that are not of the greatest benefit to the consumer and we have not always ensured that we got the best prices for drugs available under the plan.

The government believes it is possible to achieve savings of as much as \$35 million this year and ultimately \$100 a year by these and other measures that we are planning. These savings will be achieved while maintaining the quality of patient care.

We are proposing changes that will enable all of us, laypeople and health professionals, to work in partnership for better health and assurance that we receive the most appropriate drug therapy.

Briefly, our program is as follows:

We will tighten up on allowable price increases for drugs already listed as benefits under the program and actively negotiate prices of products with manufacturers. This will help limit drug costs for ODB and the public.

The ministry will apply more stringent cost-benefit criteria in reviewing for ODB coverage drugs that are available from only one manufacturer. Higher-priced products will be covered only when they represent clinical advances or advantages in treatment.

Over-the-counter medications will be reviewed by an expert panel of doctors and pharmacists to ensure their therapeutic value and cost-effectiveness. Ontario is the only province paying for such a broad range of over-the-counter products under its provincial drug plan.

As well, our program will be guided by a better management plan for the provision of oxygen and nutritional supplements. Medical criteria will be put in place for the use of physicians when prescribing these products for their patients.

The ministry will also start negotiating with oxygen vendors on service, price and equipment. Vendors will have to sign a contract outlining the services to be provided and the price to be paid by the ministry for ODB clients.

Also, the ministry will work with physicians and pharmacists to enforce larger-quantity prescribing and dispensing for people requiring long-term medication for a chronic condition. This will be less expensive for the government and more convenient for patients and physicians.

All of these changes will be made in close consultation with the groups that are most affected. Equitable access to needed health care services is something we in Ontario all agree we owe not only to ourselves but to each other. Effective management of these resources is a task at which we can all work together, knowing it is for the good of all. With the measures announced in the budget and this supplementary paper, we are making that happen.

RESPONSES

HEALTH SERVICES

Mr Phillips: I am pleased to respond to the statement by the minister today. I would like to start by saying that I suggest her announcements in some respects have come backwards. I believe she should be starting with the com-

munity-based care and the long-term care. I think virtually anyone who looks at how we are going to contain the costs in our future health care system suggests it is by strengthening our community-based care and by the implementation of our long-term care reform. That is why I say the minister has it backwards.

I think the health community is extremely worried that the minister will be trying to restrict her costs in the traditional areas but will not be providing the necessary community support systems. I cannot say that strongly enough. The Premier is shaking his head, but there has been no announcement so far. I am just saying we need that announcement.

Hon Mr Rae: It's coming.

Mr Phillips: It is coming. I asked a question in November, I asked it in December, I asked it in March and I will say again that we need that now. Certainly the people who went through the challenges when we deinstitutionalized psychiatric patients would say they are afraid they have seen this before. That is my first comment to the Premier and the Minister of Health. We must see that quickly in order to have some confidence that these restrictions and these attempts to restrain health costs will work.

If I might turn to the second element, the OMA agreement is one that the government is very proud of. We are very happy that an agreement has been reached with the OMA, albeit still needing to be ratified by all of the physicians, I gather. None the less, it appears to be heading down that road.

I would just say to the minister, though, that I would not necessarily count on that agreement as one that will realize the numbers she is talking about in here. I think the members should all be aware that the amount of money that will be set aside for physicians will be determined by an independent arbitrator. It will go to an independent arbitrator, not this year but in all future years, and some third party will be setting the size of the physicians' pot.

When we remind ourselves, that probably is \$4.5 billion, and that fundamental decision of the size of the physicians' pot will be set by an independent arbitrator. That is an immense responsibility the government is turning over to a third party. I realize that in her document the minister has some language around how that arbitrator might be fettered, as they say. But one of the key criteria is what has happened in previous increases in fees.

I would just suggest to the government that this will be an area one will have to be watching carefully, because the minister essentially has turned over to an independent third party a major part of what she calls trying to restrain the health care costs.

I have already expressed my other apprehensions on the agreement, and one is that with the joint management committee I think we all have to watch that we do not take some of the major health policy issues out of the public domain and put them into the private domain. I would not necessarily count on the agreement to save money. In fact, I believe the agreement calls for any time where physicians billing over \$400,000 are able to bill only two thirds

of the cost or one third of the cost, that money is put back into the pot that doctors' fees will come out of. That will not be a saving; that will be redistributed to other doctors.

The minister also mentions hospital funding here. I would suggest that in the very near future, within the next few weeks, the minister, working with the hospitals, will face the challenge of how she will manage the existing financial problems. It used to be a 9.5% increase for hospitals; I see it now as an 8.7% increase for hospitals. The problem the hospitals are facing now, as the minister acknowledged the other day, is that in some of their salary negotiations they already are faced with a fairly important settlement they must fund that is about 12% on their budget, and she has given 6% to the average hospital.

I will be looking forward to how the Ministry of Health will work with the hospitals. Will it be bed closings that the minister will fund or other things? I worry that there will be bed closings.

The final point is on the Ontario drug benefit plan. The minister has indicated in her statement that she will be responding more fully over the next little while to the Lowy report, and we will look forward to that. She has a partial response in here, but there are many recommendations in the Lowy report that we were expecting today in terms of education for pharmacists and physicians, in terms of ensuring that quality drug products are available on a timely basis to people.

We are pleased to respond to the statement today and to suggest that there is much work to be done here.

1400

Mr Harris: I too want to comment briefly on the discussion paper and the statement by the Minister of Health today. In a quick review of the supplementary paper and of the statement by the minister, I see nothing new in the statement. I, like the critic for the Liberal Party, want to express my concern that there is so little to the alternatives of very expensive emergency treatment, doctors' treatment, hospital treatment, and so little on health promotion and disease prevention.

I think back to the Podborski report, somewhere around 1984 or 1985, where very solid recommendations were released, that have still in essence to be acted upon by any government of any party, so that we are not always dealing with the most expensive part, crisis intervention, in the health care system, but are concentrating more on lower-cost prevention, on lower-cost health promotion. I believe in the budget that was just presented by the Treasurer, again, somewhere around 1% of the total budget, 1% to 1.5%, is allocated for this area, the bulk for the expensive area after disease has already taken place or emergency services required.

On page 4 it states that oxygen vendors will negotiate on service, price and equipment. I have written more letters to more ministers of Health on the abuse of high-cost, expensive oxygen that is being made available to patients without patients knowing how much it costs, without any signature required, and I have yet to receive a response. I wrote the former minister from the Liberal Party probably three or four letters. From the Lung Association of North

Bay—this is not to be confused with the Sudbury one that refuses to give us service in North Bay; this is our own local service—patients themselves have come forward to form their own association and said, "This is terrible, all this money that is being wasted." This, however, says there will be a study. I hope there will be more than that.

The final statement the minister makes is that with the measures announced in the budget and this supplementary paper, "We are making it happen." That is not true. The minister, like other ministers before her, is making another grand pronouncement that she is going to make it happen. We have not seen anything in a substantial way to control health care expenditures in this province for the last 10 years. I agree with the documentation that she has outlined, that health care costs are out of control to the extent that if it carries on this way over the next decade as over the last decade, we will get longer lineups than we are getting, we will be able to afford less and less service, and I fear we will end up with a two-tiered health care system.

As well, and I cannot understand this, I think \$50 million was spent on a new computer and plastic health care cards. I do not know what the difference is between having your number on a piece of plastic and a piece of paper. I can never understand that \$50-million expenditure, unless we are going to start to have those who are accessing the system know how much it costs every time they access it, run that card through a machine, as does everybody else who bills, whether it is Chargex, Visa, gas companies, Eaton's, run that through and they have to sign and nobody gets reimbursed one cent from the government, doctors, chiropractors, any practitioner or hospital, nobody gets a cent unless they submit a signed chit by those who are using the system. Nowhere else in any other service do you automatically pay up without any knowledge of whether the service is used or not.

It is time we put integrity into the system. It is time we put controls into the system. None of that is mentioned in this paper. It is time we took some of the abuses out. It is time the public also knew how much it costs every time they use the system for every service. These are some of the things that are not in this report today.

ORAL QUESTIONS

ASSISTANCE TO DE HAVILLAND

Mr Nixon: I have a question of the Premier having to do with the de Havilland situation. We recall his statement made previously that if worse came to the worst, he would be prepared to nationalize that industry in order to maintain the employment. But I was interested to read a statement from the Premier that he was looking for a Canadian partner and the only way he would recommend that Ontario participate in any sort of additional funding would be if there were a Canadian partner. I wonder if he might report to the House what steps he is taking to assist in that and what the status of the situation is at this time?

Hon Mr Rae: Last week I attended a meeting with the presidents of the two companies, the French company and the Italian company, which have signed a provisional

contract with Boeing, which contract is going to be submitted to Investment Canada.

At that meeting, I made it clear to the consortium that it was the very strong view of the government, based on the work that has been done by the task force which I established, that it would be in the interests of the people of Canada and the interests of the people of this province that a Canadian partner be part of any future for de Havilland and for the de Havilland company.

I can tell members that the consortium indicated it was open to that suggestion, and I can only tell the Leader of the Opposition that we are working very energetically with the federal government and with others to try to create a climate for a deal which will be beneficial to everyone concerned. That is where matters stand at the moment.

Mr Nixon: My concern goes back quite a way, because I can recall that the taxpayers of Canada have invested over \$1 billion in de Havilland, and the government of Canada in its wisdom paid Boeing to take over the management and ownership of it. Boeing could not make a profitable enterprise of it and in fact has now sold it to a European consortium. Now that consortium comes to Canada and says that unless there is an additional \$500 million, it cannot guarantee research or the jobs. It sounds like blackmail to me and concerns me deeply, since as a cabinet minister myself I participated in the funding of the Varity Corp predecessor Massey-Ferguson, of which most money simply has disappeared, as far as we can see.

I simply put it to the Premier this way: Since he is the safety net underlying the whole thing in saying the jobs will not be lost and he is prepared to go to any extreme to ensure that, is there really a Canadian partner out there or is he just dreaming?

Hon Mr Rae: I want to assure the Leader of the Opposition that I do dream from time to time, but not in this instance. My concern is with the future of jobs and with high technology. My concern is with the fact that this is the largest private sector employer in Metropolitan Toronto, but it is also an extremely important employer from the perspective of our future in high technology, from the point of view of other suppliers all over southern Ontario. It is not something to which we can afford as a government to take a cavalier approach, and that is why we have been as systematic as we have been. We have set up the task force; we have discussed with people in the aerospace industry how we can put together the best possible alternative. We also have the fact that there is a process through which the federal government ultimately, through Investment Canada, has to give its approval to this particular deal.

All I can say is that we are working energetically and I hope effectively to see that there is a good deal from the point of view of the Canadian public, and that is exactly what we are trying to do. I am not pretending that it is easy, but I do think it is important for us to do what we can, being very cognizant, I can assure members, of the experience that previous governments have had, both Liberal and Conservative, with respect to matters such as this.

1410

Mr Nixon: My questions have endeavoured to more or less delineate the box in which the Premier finds himself, in that he has taken the primary responsibility. If he is depending on Investment Canada to have any control over this, of course that is unlikely to occur since it has not stopped any takeover at all. The government of Canada has really indicated that it is counting on the government of Ontario to fill its commitments and maintain the jobs.

In this connection, since the Premier appears to be just sort of twisting around looking for an alternative that does not exist, and his alternative is a Canadian partner that will bring in some money and will relieve him at least of a bit of the \$250 million to \$300 million he is facing, can he tell me specifically with whom he has met, including the unions—are they involved in this?—and what his conditions are for the involvement of a Canadian partner that would make it attractive for any of those groups? I should just indicate that the president of the Aerospace Industries Association of Canada has said: "I'm not aware of any interest being expressed....I would be surprised if any of [the companies] decided to get involved." I do not think it is going to happen.

Hon Mr Rae: I suppose if I were in the position of the Leader of the Opposition, I might think I had the luxury of just throwing up my hands and saying, "It's not going to happen." I do not have that luxury as Premier, we do not have that luxury as a government, and the people of Ontario do not have that luxury. There are thousands of jobs at stake here. You cannot just throw up your hands and say, "It isn't going to happen." What kind of position is that for a political party to take?

Just the other day in the *Globe and Mail*, the member said, "If Mr Rae can find a Canadian investor, then that's the answer." That is what he said on Saturday.

Mr Nixon: It is, and I don't believe you can.

Hon Mr Rae: He does not believe we can. All I can tell him is we are going to do the best we can to protect those jobs and to make sure that Canadian jobs are protected. That is what we are elected to do.

CONFLICT OF INTEREST

Mr Scott: I understand that there is a certain risk that today, instead of answering questions, the Premier is going to hurl insults back at everybody else. Notwithstanding that, I would like to take a try.

Last autumn the Premier announced his guidelines on conflict of interest with a big press conference and made a big deal out of it and said he was going to have certain clear guidelines. On 2 April, after he had to extend the divestment deadline once, he issued a statement to the effect that everybody was in compliance except for three parliamentary assistants. Only two weeks later, we were able to point out, after an examination of the records, that the Premier was clearly wrong about there being no compliance. He admitted that the statement was in error and he attempted to explain that to the Legislature.

On 12 February, in an effort to solve the matter, he issued a secret guideline to the caucus which he did not

make available to the press and which disclosed that certain persons would not be obliged to comply with the guidelines. He did not advise the press of that. On 18 April, at my request, the Premier undertook to release a list of those who had divested, those who had not divested, and the reasons why in each case. I have written to the Premier twice about that. He has now told me that he has hired a hotshot lawyer from downtown to go over the whole thing again and to interview everybody again, to see if they cannot get the thing right.

As far as the public knows, and this is my question, the Premier's original statement that there was compliance is incorrect. There are nine cabinet ministers and parliamentary assistants who are in contravention of the guidelines. A hotshot lawyer is working on it. Can the Premier tell us when we are going to know what is going on and get this report from the hotshot lawyer as to divestiture?

Hon Mr Rae: I want to point out to the member for St George-St David that not every lawyer downtown is a hot-shot and I want to say to him that I have already written—since the member for St George-St David has said that he had written to me twice, he might perhaps have indicated that I have written in reply. I wrote a letter and I indicated clearly who the lawyer was, Eldon Bennett, a lawyer to Aird and Berlis, who was acting as counsel to John Aird when John Aird was giving advice to the previous government. I do not think anybody can say that Mr Bennett is not somebody whose credibility in this area is well known.

Without accepting for a moment any of the statements the member for St George-St David has made in a totally inaccurate and irresponsible fashion in terms of what he has said, my answer to his question is, quite soon.

Mr Scott: That answer rings a bell, as a matter of fact. We have now been six or eight months at this and there is chaos. Nobody knows where they are. We had to point out to the Premier that the Minister of Citizenship had not complied with the guidelines and she knew that before the Premier did. We had to advise that the Minister of Community and Social Services had not complied with the evidence guidelines and with the statute. We knew that before the Premier did and apparently before she did. We are still dealing with the Solicitor General, who claims he is not responsible for anything that goes on in his office if he is not standing over everybody's shoulder watching them minute by minute.

Just last week the parliamentary assistant to the Minister of Revenue, appearing before a parliamentary committee, told us that no one from the Premier's office had ever told him that he had to divest his assets or obtain a specific exemption. No one had ever spoken to him about that.

The Speaker: And the question?

Mr Scott: He also testified under oath that David Agnew, whoever David Agnew is—I am advised he is a secretary in the office—had reassured the parliamentary assistant that his ownership of land in Simcoe county was “not a problem.”

The Speaker: And your question?

Mr Scott: Now that is where we are at. The wheels have fallen off this exercise.

The Speaker: Would the member place a question, please.

Mr Scott: Will the Premier please give consideration to withdrawing these unenforceable guidelines and beginning the exercise over again? We will wish him the best will in the world in that exercise. It is time it happened.

Hon Mr Rae: Again, the preambles are so long.

First of all, I do not accept for a moment the premise of the question. I am waiting for the report from Mr Bennett and, when I have that report, I will certainly respond to the member's earlier question, as I have already undertaken to do in the House and in writing, as would happen.

The second thing I would say to the member is, I am waiting to hear from the report of the parliamentary committee on this matter. I would much prefer it if we had clearer legislation and that is what I am waiting for from the committee. When we have that from the committee, there will be no problem.

Mr Scott: The Premier has not dealt with my main point in the supplementary, which is that the parliamentary assistant to the Minister of Revenue came before the committee the Premier is talking about the other day and said no one from the Premier's office had expressed any interest in what he owned, that no one knew what was going on and that he had never been given any advice. When he asked for it, Mr Agnew told him not to worry, it was not a problem.

What are we going to do about the parliamentary assistant to the Minister of Revenue? Would the Premier give consideration, notwithstanding the long preamble, to two things: putting the specific case in the parliamentary committee's hands or, alternatively, asking Chief Justice Evans to run the whole shooting match? He can run it effectively; the Premier clearly cannot.

Hon Mr Rae: I have a real difficulty. The member for St George-St David makes an accusation with regard to certain things and he says here, “When did you receive a copy of the Premier's guidelines?” Answer: “I guess I received them along with every other member, parliamentary assistant or minister that received them.... They are dated December. I probably received them around that time.” So it seems to me that issue has been settled.

1420

The issue of compliance, which in the issue the member for St George-St David has raised, is an issue that—because of what happened I decided, after an exchange in question period, that the fairest possible thing for me to do would be to say to Mr Bennett, “Look, you go in, ask all the questions, get all the answers, and that will be the basis for my report to the House.” That is the commitment I have made to the member for St George-St David. Before the member jumps to any conclusions with respect to any individual members who have been named, many of whom have been named inaccurately and unfairly in this House, I think it is appropriate for us to wait for that.

TAX INCREASES

Mr Harris: My question is to the Premier. When I pointed out to the Treasurer last week that he was not

listening to the taxpayers, I assumed that he had at least taken the advice of Bob White, the backroom Premier. The 10 May edition of the St Catharines Standard says that Bob White, like the rest of the taxpayers of this province, is unhappy. The auto workers he represents are afraid for their jobs as a direct result of the Premier's budget.

I wonder if the Premier could share with us today what he plans to discuss and what he plans to tell the automotive industry or his Treasurer, who, I understand, is meeting with them on Thursday of this week, about the impact his budget is going to have on the automotive industry.

Hon Mr Rae: The fact of the matter is that the Treasurer is meeting with representatives of the auto industry, including Mr White. That is to be expected. There is nothing unusual in that with respect to matters. As the leader of the third party well knows, under the current budgetary rules, we are not allowed to discuss tax proposals or tax ideas in any detail before the budget, so it would be entirely natural for there to be that discussion afterwards. I am sure there will be a lively and healthy exchange with the Treasurer at that meeting.

Mr Harris: I would like to quote from another unhappy auto worker, John Clout, Local 199, GM's plant chairman. He says, "I cannot remain silent when the tax policies of any government, even one I support, are so regressive and asinine that they threaten the jobs of an industry I have worked in for 26 years." He goes on to say that for workers, the end result is "unemployment, with all the miseries that go with it."

Does the Premier have any idea, and if he does, could he share with us, exactly how many jobs will be lost in the auto industry? How many CAW jobs will be lost as a direct result of the Premier's budget?

Hon Mr Rae: From my reading of Hansard, the member for St Catharines should be demanding payment as a research assistant to the leader of the third party, since these are the questions he asked yesterday. I think the answers will be as direct as to those that were asked by the member for St Catharines yesterday.

The United States government—the Bush administration, an administration with which I would have thought the leader of the third party would have some ideological affinity—introduced a gas guzzler measure in its last budget, which was approved by the American Congress. That measure is in fact at the upper limits, higher, adds more to the tax rates, than has been proposed by the Treasurer in his statement at the end of April.

I want to say to the leader of the third party that it is a little absurd to say that this measure, which is simply an extension of a measure brought forward by the previous government which has been in place, is somehow going to create what I think he described as massive unemployment. It is our view, on the information that we have—and we are happy to listen to the auto industry and to those working in it to see what evidence they can produce. We are happy to listen to that evidence and to listen to what they have to say. We are not averse to listening to what they have to say at all—

The Speaker: Would the Premier conclude his remarks, please.

Hon Mr Rae: —with facts and figures, and we have some of ours. We do not think this is a measure that is going to add to unemployment. We do not believe that.

Mr Harris: I do not know why the Premier tries to allege that I somehow or other have some influence on American policy or Canadian policy. If he wants to fight George Bush, he can move to the United States and fight him. If he wants to fight Mulroney, he can move to Ottawa and fight him. It is not me saying there are layoffs; it is the United Auto Workers. In spite of the fact that they donate to the NDP—they do not donate to me—it is a sad day when I am the only one standing—

An hon member: What do you know about auto workers?

An hon member: It is the CAW.

Interjections.

The Speaker: To the member for Durham-York and the member for Yorkview and a number of other members, it would certainly assist the Chair if they would allow the leader of the third party to complete his question uninterrupted.

Mr Harris: Thank you very much, Mr Speaker. As I was saying by way of final supplementary, it is the UAW that is going to benefit and the CAW in Canada that is losing the jobs.

Even Bob White, the one person outside the Premier's caucus we would have expected to support this government budget, and he initially did until he saw the details, is speaking out against it. He realizes the budget will cost Ontario jobs, not save them. Bob White realizes this budget does not just contain a gas guzzler tax, it is a job guzzler tax; and that is what he is fighting.

I cannot find one person who believes the Premier's budget will in any way help to end this recession and save jobs in Ontario. Upon reflection, would the Premier not admit, as Bob White now admits on reflection two weeks after the budget, that this budget is costing Ontario jobs and it is time to rethink his \$53-billion mistake?

Hon Mr Rae: The short answer is no. But I would just say to the member, in addition to that no in explaining it, if he wanted to be fair he would recognize that it is possible for people to have a factual difference of opinion about how one tax or other that is part of the budget is going to work or is going to have an effect, without challenging for a moment the overall integrity of the budget process.

If the leader of the third party really wanted to deal with this, two weeks ago we could have talked about referring budget bills to committee to have a serious discussion on these measures and getting on with it, instead of reading off the name of every lake and river in the province, which is what the leader of the third party has been doing.

Mr Harris: I have another question for the Premier. In 1979 the Premier had a fundamental disagreement with the federal government of the day over the direction of its budget. In fact, he felt so strongly about that budget and

the lack of a mandate to proceed in a different direction, as he said at the time, that he helped defeat the government.

Because the Premier has a majority, I cannot defeat him in a vote in the same way that he defeated the former government when it changed direction with its budget. Because I recognize those realities, all I am asking for is a chance for the people to have a say on the direction of his budget. Clearly, he would appreciate that in four years' time it will be too late; we will be over \$70 billion in debt.

Can the Premier give the workers of Ontario who are losing their jobs, can he give the taxpayers of Ontario, can he give the public of Ontario one good reason why they should not be entitled to voice their opinion on this budget direction before he inflicts an additional \$35 billion of debt on this province?

1430

Hon Mr Rae: Not only do I expect the public to respond and to participate in a discussion of the budget, it is already happening. It is happening in the most natural way. The only place it is not happening is in this Legislative Assembly because the members opposite are not letting it happen.

Mr Harris: I guess the Premier does not have to worry about losing his job for the next three or four years. Most Ontarians are not that lucky. I do not believe the Premier has a mandate for this budget direction. The people who are calling my office do not believe he has a mandate for this. In fact, they are begging for a chance to tell him exactly how they feel.

Earlier this afternoon I sent the Premier and the Treasurer an invitation requesting they join me over the next two days as I listen to what some members of the public have to say about this budget. I would like to ask the Premier today in the chamber, will he and the Treasurer agree to attend these meetings to hear from the public tomorrow and Thursday?

Hon Mr Rae: The leader of the third party, after what has happened over the last two weeks, has now decided that his party is going to hold hearings on the budget in which it will hear from John Crispo and various other people.

When I was in opposition we did that. That is fine; that is a perfectly natural thing to do. I notice they are taking a break for the constituency week and then they are going to come hard back at it at the end of May. They are fully entitled to do that. That is a partisan exercise on the part of his party, which is part of what—

Mr Stockwell: No.

Hon Mr Rae: Yes. That is a very natural thing to happen. Then we would ask that the budget bills be referred. The only thing I would ask the leader of the third party is, if he has decided that now, after this period of time, he is in fact going to have his own hearings, which is fine, is he going to let the House get down to its work and its business since he has decided to do it that way?

Mr Harris: Four years from now I would be happy to stand over there and answer all the questions the Premier has.

The Premier is right, we are going to attempt to do whatever we can to hear from people. Yes, John Crispo is one. Yes, the cobbler who repaired the Treasurer's shoes and now has second thoughts wants to come and tell him what he thinks about the budget on Thursday as well, along with other ordinary citizens.

In 1979, the Premier said this about a new government that came in in Ottawa. This is the Commons debate about a new government just elected. It brought in a budget, and he said, "You do not have a mandate from the Canadian people for such a reversal." That is what he said of the budget it brought in. At that time he exercised his power to force an election.

Does the Premier not agree that he is heading off in a direction that the public certainly did not expect—never did I hear him promise a \$10-billion deficit; never did I hear him promise billions and billions of dollars of tax increases—that the public is at least entitled to come and express their viewpoint before he embarks in that direction?

Hon Mr Rae: I want the leader of the third party to know that I fought against Tory economics 12 years ago and we are fighting against Tory economics today.

Mr Bradley: My question is for the Minister of Labour.

Interjections.

The Speaker: I knew we were all just about to become relaxed so that the member for St Catharines could place his question.

Mr Bradley: My question is for the Minister of Labour. As I tried yesterday at 5:30 to enlist the support of the Minister of Industry, Trade and Technology in convincing the Treasurer to withdraw his tax on auto workers in this province, I want to enlist the support of the Minister of Labour to do the same in light of some other comments that a well-known trade unionist, the chairman of the Canadian Auto Workers, Local 199 bargaining unit, had to say, in addition to those that were quoted yesterday and today. He says:

"Imposing this tax at this time on an industry that represents the industrial base of our community and province and which is reeling already from the free trade agreement is mind-boggling, to say the least, and this from a government that draws its support from workers' wages and votes. One can only assume that our policymakers are a bunch of incompetent so-called intellectuals who haven't got a clue of what goes on in the real world of industrial labour.

"While I still hope for some good things from this government, its stupidity and incompetence is quickly leading me to lose faith, as I know it is many of our members. This government, and in particular our local MPPs, had better understand we are workers and unionists first and NDP members or supporters second. So they better get their act together and rescind this tax."

Can I get the support of the Minister of Labour, who himself has a long and distinguished career in the labour union movement, to persuade the Treasurer of the lack of wisdom of this tax, which will hit the auto industry badly and ultimately the steel industry in his own community?

Hon Mr Mackenzie: I simply want to tell the member for St Catharines that this is one of the few times I have been called an intellectual. I want to tell him also that I think the budget brought in by the Treasurer is an excellent one for the province of Ontario, and we have never told workers how or what they should say or what their opinions should be.

Mr Bradley: I cannot help but believe that the member for Hamilton East and the Minister of Labour, who fought so hard for labour issues over the years, both as a member on this side of the House and in the trade union movement, would not have sympathy for the workers in our area, particularly the bargaining unit itself, which says:

"Auto workers, as individuals or through their unions, played a major role in the election of the government and contributed tens of thousands of dollars from their wages to that end. We don't expect special treatment, but we do expect fair treatment and not to find our jobs threatened by ludicrous tax policies."

Would the Minister of Labour not agree with me that the Treasurer, who says he has certain goals to accomplish which are non-monetary or non-fiscal, could accomplish the same thing by providing incentives for people to purchase new automobiles which would have better emission controls on them and better efficiency in terms of fuel? I recognize it would not get for him the tax grab he wants, but would he not agree with me that labour people in this province are being hurt by this tax, and would he not use all of his persuasive powers to persuade the Treasurer to change his mind and rescind that unwise tax?

Hon Mr Mackenzie: I would simply like to tell the member for St Catharines that there are many ways to help workers. Giving them the protection they need, trying to provide the jobs that are needed and the retraining that is needed are all ways to deal with that. You do not have one single road you have to go down. We are still trying to work to make things better for workers in the province of Ontario. That is our goal and that is exactly what we are doing.

1440

LABOUR RELATIONS

Mrs Witmer: I have a question for the Minister of Labour. The minister has recently received two reports from the labour law reform committee for his consideration. One of the reports was drafted from the labour point of view and the other from the management point of view.

The report that was drafted by the three representatives of the labour point of view, as the minister knows, has greatly alarmed the business community in this province. They are particularly concerned about a recommendation that would prevent management from continuing the operation of a plant during a strike. Management would not even be able to fill orders with previously manufactured goods. This would eliminate the ability to maintain customer goodwill and it would threaten the long-term viability of the enterprise.

This recommendation shifts the long-standing interpretation of a picket line from a vehicle for communication to an economic blockade. Does the minister endorse this shift

in a picket line? How is this going to create more jobs in Ontario?

Hon Mr Mackenzie: One of the things we want to achieve is an equal and fair relationship. We have an excellent workforce in this province, very productive, very well trained. One of the ways to do that is to work towards a partnership between business and labour that allows us to maximize our efforts in the workplace.

Mrs Witmer: I question whether this is going to enhance the relationship or the partnership. The report from the labour representatives goes on to recommend that the labour board automatically certify where a majority of employees have signed a union card. This does away with the practice of petitions.

In contrast, our consumers are protected from high-pressure, door-to-door salesmen by a three-day cooling off period, yet an employee who signs a union card would not have the option of a sober second thought. This is particularly perplexing since a petition always leads to a free and democratic vote on the issue of unionization.

This report appears to be a solution for which there is no problem. Ontario already has the most comprehensive labour legislation in North America. The management representatives indicated that radical change will merely add to existing pressures which threaten the maintenance of jobs in Ontario. Where is the demonstrated need for fundamental change to the Labour Relations Act at this time in the history of this province, when we are going through a recession?

Hon Mr Mackenzie: It may surprise the member to know that basically the history of the labour movement and labour relations in the province of Ontario has been one that has been built on confrontation. We are trying to change that to one of co-operation. That is exactly what our goal is and exactly what we are trying to do.

TVONTARIO

Mr Johnson: My question is for the Minister of Culture and Communications. I would like to ask the minister if there is not something he could do to clarify the communication and improve the culture in this House, but I will not. In fact, my question concerns TVOntario. A number of articles have appeared in the media over the past week regarding TVOntario and its expenditures. In addition, questions have been asked of the minister in the House pertaining to TVO's spending. In light of allegations made pertaining to how TVO is spending public funds, what is the minister doing to get a final answer on whether these allegations are true or not?

Hon Mr Marchese: I want to say to the member and to the House that I have taken these allegations very seriously. I have referred the whole matter to the secretary of cabinet, and he has instructed the Provincial Auditor to do a review of the expenditures at TVO. This was communicated to the chairman of TVO last Friday. The review has begun, and as soon as we have the results of that review I will let the House know of those results.

UNITED CO-OPERATIVES OF ONTARIO

Mr Villeneuve: I have a question to the Minister of Agriculture and Food. Some time ago I asked him about what was happening with the assistance that the United Co-operatives of Ontario had asked his ministry for. Could he update the House on what he is going to do for UCO?

Hon Mr Buchanan: There is a formal request from UCO for assistance now on my desk. I am reviewing that request and will make an announcement some time in the future. No decision has been made at this point. We are looking at the application and the request, though, and will look at the request very seriously, but have no announcement to make at this time.

Mr Villeneuve: I find that difficult to accept, because it has been at his ministry for quite some time. As the minister knows, many independent farm suppliers across Ontario are clearly worried that a provincial bailout of UCO will occur. They are convinced that such a bailout will simply undercut their ability to compete.

The minister has had this now since February. Could he give this House some indication as to what his thoughts are? Will he be bailing them out?

Hon Mr Buchanan: Yes. I repeat what I said. Negotiations and discussions are ongoing between staff and UCO. Some of the requests have been modified and changed. We look at them very seriously. We are not in a position to make a statement or an answer to the request at this time.

WOMEN IN BUSINESS

Mr Huget: My question is to the Minister of Industry, Trade and Technology. The Ministry of Industry, Trade and Technology and the Federal Business Development Bank have recently launched a program called Step Up, which is a business training program for women entrepreneurs. Could the minister tell this House exactly how women who own businesses in this province will benefit from participation in this program?

Hon Mr Pilkey: The Step Up program is rather a unique program in Canada which is designed to break down some of the barriers women entrepreneurs face in expanding their particular businesses. The Step Up program will benefit women entrepreneurs basically in three ways.

First, all participants will be matched on a one-on-one basis with a mentor. The mentors are experienced businesswomen owners who will provide advice to participants on business expansion.

Second, Step Up has seven training workshops for participants to learn about financing, marketing and other aspects of business.

Finally, networking is a very important part of the program which will help women entrepreneurs forge ties with other businesswomen.

My ministry support for this program represents the government's continuing commitment to small-business growth and expansion in entrepreneurship in this province.

Mr Huget: Can the minister tell us what financial contributions MITT will make to this project and how many participants are involved in this program?

Hon Mr Pilkey: There are 26 participants involved in the program and MITT and the Federal Business Development Bank are contributing some \$20,000 each to effect this program.

IDENTIFICATION DES FRANCOPHONES

M. Grandmaître : Ma question s'adresse au ministre délégué aux Affaires francophones. Monsieur le ministre se souviendra du fameux recensement de 1988 qui était cousu de l'air. Il se souviendra aussi qu'en 1989 le ministère des Affaires municipales, le ministre de l'Éducation ainsi que le ministre du Revenu s'étaient rencontrés pour rectifier les erreurs qui avaient été commises lors du recensement.

Je dois avouer au ministre que depuis 1989 je ne sais pas combien de fois son bureau ou les ministères faisant partie de ce recensement se sont rencontrés pour rectifier les erreurs de 1988 qui empêchent les clients du ministre, les Franco-Ontariens et Franco-Ontariennes, de s'identifier de façon à ne pas être trompés avec une autre catégorie. La section D, et le ministre la connaît très bien, exige qu'un francophone soit identifié correctement. Sans ça, cette personne-là est identifiée comme anglophone.

Quel était le rôle du ministre depuis les six ou sept derniers mois concernant le recensement ?

L'hon. M. Pouliot : J'aimerais tout d'abord remercier le plus sincèrement l'intérêt de mon collègue l'ancien ministre. Il a voulu s'appuyer sur le recensement de 1988 et aujourd'hui j'aimerais lui répondre, avec respect bien sûr, à propos du recensement, mais celui de 1991.

Le rôle du ministre délégué aux Affaires francophones, avec son mandat horizontal, appelle le ministre à faciliter les rencontres avec, dans ce cas-ci, le ministère du Revenu et aussi le ministère concerné, celui de l'Éducation. Et bien, on l'a fait ; nous sommes descendus dans la rue. Nous avons formulé, à travers les organismes francophones représentant les 543 000 Franco-Ontariens de la province, le recensement municipal de 1991. En plus, nous avons mis en place un numéro sans frais, un numéro 1-800. On a dit aux Franco-Ontariens : «On va faire ça ensemble. Vous ne serez pas oubliés.» On a multiplié les rencontres, les organismes se sont joints à nous et enfin on a remplacé ou amendé le formulaire pour permettre aux gens de s'identifier.

M. Grandmaître : Si le ministre a multiplié les rencontres avec tout le monde, s'ils sont descendus dans la rue, s'ils se sont abaissés dans les trottoirs, comment se fait-il que personne ne l'ait écouté et qu'ils aient répété les mêmes erreurs ?

L'hon. M. Pouliot : Monsieur le Président, face à une telle provocation, laissez-moi vous dire que c'est lui qui était ministre avant. Si on a vécu à travers la francophonie les péchés d'omission, c'est lui le coupable. Moi, j'ai rectifié les amendements et les péchés d'omission de mon prédécesseur. C'est tout. Ce n'est pas plus que ça, mais ce n'est pas moins que ça non plus.

1450

CASE OF BRIAN RAPSON

Mr Harnick: My question is for the Attorney General. I read in today's Toronto Star that Police Constable Rapson's lawyer said that the decision to prefer an indictment against the police constable appears to be a political one. The Attorney General stated that his decision was based absolutely entirely—not just entirely but absolutely entirely—on legal principles, and I stress the words “legal principles.”

Can the Attorney General please advise us what those legal principles are? Please do not tell us that it is before the courts and it is going to prejudice the courts, because legal principles stated to a court have never, ever prejudiced a court in making a decision. Why does he not come clean and tell us what the legal principles are so that he can disprove the fact that he preferred this indictment for purely political reasons?

Hon Mr Hampton: I have answered the member's question on this issue before. I will refer him again to rule 23(g) of this House. Under the rules of the House, in a debate, “A member shall be called to order by the Speaker if he or she...refers to any matter that is the subject of a proceeding that is pending in court or before a judge for judicial determination.”

I realize that the member for the Conservative Party would very much like to make a political issue out of the trial of a very serious criminal charge. I realize that. It is quite inappropriate and, as I say, I think it is out of order to even ask the question in this House.

Mr Harnick: My supplementary should be to ask the Attorney General if he is really a lawyer, but I am not that crass.

Interjections.

The Speaker: From time to time there are accusations across the House. One of them is not that we are too quiet. Now that we are calm, perhaps the member for Willowdale can pose his supplementary.

Mr Harnick: My supplementary is to point out to the Attorney General that the former Attorney General preferred an indictment against a gentleman by the name of Prete. Mr Prete was discharged after a preliminary inquiry. He then stood trial and he was acquitted.

The member for York South, as he then was, stood in this House and asked the then Attorney General for a commitment that the government would pay damages to compensate Mr Prete for the fact that he was charged improperly.

Will the Attorney General stand in this Legislature today and undertake to Police Constable Rapson that he will do what his Premier advocated doing, and that is that he will pay his damages and his costs when he has to defend an attempted murder charge of which he will be acquitted? Will he undertake to do this and stand by what the Premier said?

Hon Mr Hampton: I consider it quite inappropriate that a member would stand in this Legislature and attempt

to prejudge a situation such as this. I also want to point out—

Mr Harnick: On a point of personal privilege, Mr Speaker: I have been accused of prejudging a case. I am not prejudging a case at all. This man has been tried at a preliminary inquiry and this man has been discharged at a preliminary on an attempted murder charge. I am not prejudging him. I am merely stating what a court has already decided. For him to make that allegation—

The Speaker: Would the member take his seat, please. It is not a point of privilege. Would the Attorney General complete his remarks, please.

Hon Mr Hampton: I think there is something else very serious happening here. I read the member's remarks that were made outside the Legislature, where he insinuates that where indictments have been preferred in the past the Attorney General has stood in the House and given an explanation as to why an indictment was preferred. I want to point out that we have searched the Hansards. We can find no such record of that in the situation that was referred to.

Mr Harnick: You're wrong again. Here is is, Howard: Hansard, 10 November 1988, page 5759.

The Speaker: Will the member for Willowdale take his seat, please.

Mr Harnick: You don't know what you're talking about, Howard. You couldn't research a law book because you wouldn't know which end to open it at. You're pathetic and you're affecting a man's life. You don't know what you're doing.

Hon Mr Hampton: I want to point out to the member—

The Speaker: New question, the member for Niagara Falls.

SPEECH THERAPY

Ms Harrington: My question is to the Minister of Community and Social Services in regard to service I am sure members would be interested in, speech therapy service for children with Down's syndrome. I know the member for Burlington South was most interested in this particular issue.

This is an issue which came up during the election campaign in my riding last summer. A woman in my riding has spent years of work writing letters, petitions and reports trying to get this service for her preschool son. I promised that this issue would be addressed not just for her son but for every child in this province who needed this service.

Would the minister tell us what has been done to ensure access to this service, which cannot be postponed when it is needed for these preschoolers? It makes all the difference in the development of these young people's lives.

Hon Ms Akande: This is a question of long standing, and the member is quite right. It has been a problem that has existed not only in the Niagara area but in several areas of this province for quite some time and has not been addressed. The area office around Niagara has now provided funding

for speech pathology within that particular area. In a more general context, we are also designing and negotiating between education and health towards providing funding for speech problems all around the province.

CROSS-BORDER SHOPPING

Mrs Y. O'Neill: My question is to the Minister of Revenue. In the 1991 budget, the Treasurer of Ontario announced a total increase of 3.4 cents per litre in the gas tax over the next fiscal year. This new tax is being introduced at the same time as gas prices are reportedly decreasing by an average of two cents a litre in the United States. This means there will be an additional five-cent differential in the price of gasoline between Ontario and the United States, encouraging more people in border communities to shop on a daily basis in the United States.

Has the minister a plan to respond to the effect of this tax increase on border communities, and will she please share such a plan with this House at this moment?

Hon Ms Wark-Martyn: I would like to assure this House that this government takes cross-border shopping and out-shopping very seriously. We have recognized the need to work together with the federal government, with municipal governments and with business, labour and retailers to resolve this issue. This is a very sensitive issue and we are not going to find a quick fix to deal with it. My colleague the Minister of Industry, Trade and Technology is actively working on the issue, as I am. We are scheduled to meet on Thursday of this week with the Minister of Revenue for the Canadian government to discuss this item further.

Mrs Y. O'Neill: I tried with every bit of hearing I have and did not detect even the sign of a plan. This budget will create a few jobs but many of them will be in Buffalo and Detroit. The Minister of Revenue hopes to raise \$500 million through the new gas taxes. Are these projections accurate, when so many Ontarians are continuing and even encouraged to buy their gas in the United States?

NDP ministers, and this minister in particular, today continue to stand in this House and time and time again say only that the federal government is to blame for cross-border shopping and that it is a complex problem. We are beginning to see there is a real denial of any provincial responsibility. But this increase in gas prices at this time in this budget belongs solely to the Ontario NDP government and to no one else.

Was an impact study taken on the results of this excessive new fuel tax on Ontario's border communities? I ask that question. Will the minister please share her plans for cushioning the effect of these invasive taxes on these struggling communities which need consideration from this government today?

Hon Ms Wark-Martyn: I thank the member on the other side of the House for the question and ask that she talk with some of her colleagues in her own party who were at the standing committee on finance and economic affairs I was at and who said that this is a very difficult issue and that it is not going to be solved by one government; it is one that is going to take a lot of co-operation,

which is something our government believes in and something our government will do.

We are not scared to face those challenges. The Liberal member's government did studies on cross-border shopping when it was in power and decided to do nothing about it. We are going to do something about it. We will work together with all levels of government, with all leaders in retail and labour and business, and we will resolve this issue. It will take time and commitment. I am also looking forward to the member's commitment in solving this problem.

PARLIAMENTARY PROCESS

Mr Elston: On a point of order, Mr Speaker: Yesterday we had an extensive written brief presented to you by the government House leader. While we have been working at the issue fairly diligently over the evening last night and this morning, I had hoped to have a preliminary written report for you from our point of view. It is not yet ready. Bearing in mind that there is a necessity for speed on this issue, I would ask that you grant me some more hours to prepare a written submission before you make a decision on the request by the House leader.

The Speaker: The diligence and hard work of the member for Bruce is well known. Indeed, as I mentioned yesterday, I would be pleased to receive written submissions today and tomorrow. Your earliest convenience within that time frame would be appreciated.

MOTION

COMMITTEE MEMBERSHIP

Miss Martel moved that Ms Gigantes be substituted for Mr F. Wilson on the select committee on Ontario in Confederation.

Motion agreed to.

PETITIONS

AUTOMOBILE INSURANCE

Mrs Cunningham: I have a petition quite a number of pages long signed by 316 people. It reads as follows:

"We, the undersigned, hereby respectfully request that the Legislature rescind the Ontario motorist protection plan, and further respectfully request that a plan be devised in accordance with the results of the independent studies undertaken by the previous government that will ensure fair and reasonable compensation for innocent motor vehicle accident victims."

This petition is signed by residents of London, Middlesex, Brockville, Chatham, Cambridge, Rexdale, and the list goes on. I have affixed my signature to this petition.

HEALTH INSURANCE

Mr Dadamo: I also have a petition from my riding, which contains some 3,000 signatures. It reads:

"We, the undersigned, believe that acupuncture treatments which are administered by an acupuncturist who has been qualified by the College of Physicians and Surgeons of Ontario should be covered by OHIP. Chiropractors are presently covered under this plan and we feel that it is

unfair that acupuncture treatments do not have any coverage under the same plan."

I would like to attach my name to this petition.

1510

PURCHASE OF URANIUM

Mr Offer: I have a petition to the Parliament of Ontario:

"Whereas the cancellation of out-of-province contracts has resulted in more than 2,500 job losses in the mining community of Elliot Lake;

"Whereas the unemployment rate in Elliot Lake is at more than 62%;

"Whereas economic diversification efforts require time before results can be experienced and, without a strong anchor industry in Elliot Lake, any diversification effort becomes tremendously difficult;

"Whereas Ontario Hydro, which is ultimately responsible to this government, made commitments to Elliot Lake and its mining companies which resulted in the community's rapid and widespread expansion in the early 1980s;

"Whereas Ontario Hydro has the means to stabilize the economy of Elliot Lake; and

"Whereas Premier Bob Rae and his New Democratic government made a specific promise to the community;

"We petition the Parliament of Ontario as follows:

"To fulfil that promise to the people of Elliot Lake by instructing Ontario Hydro to purchase all of its uranium requirements from within the province of Ontario, namely Elliot Lake, until economic diversification efforts in the community are successful."

I have affixed my name thereto.

DAY CARE

Mr Cousens: This petition is in the colour of the government, pink.

"We, the undersigned, request that the minister take immediate action to rectify the further salary inequity announced 31 January for early childhood educators, believing that freedom of choice, pay equity and non-discrimination are the backbone of our democratic society. Furthermore, parents must retain the right to select a day care of their choice."

It is signed by a host of people from Thornhill, Bradford, Newmarket and Keswick. Thank goodness they have someone like me to present it for them.

HUMAN RIGHTS

Mr Hansen: To the Legislative Assembly of Ontario:

"Whereas Wednesday 8 May was the International Red Cross and Red Crescent Day; and

"Whereas hundreds of thousands of people are currently suffering because of war and its aftermath;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We appeal to the governments, leaders and people of the world to respect the fundamental human rights of individuals at all times in all places and all circumstances; and

"We appeal to the Legislative Assembly of Ontario to live up to its international undertakings and responsibilities to enable all necessary humanitarian aid to be made avail-

able to the victims of conflict and to ensure that they can seek and receive such aid."

I affix my signature to this petition, as do many other members of this House.

OATH OF ALLEGIANCE

Mrs Sullivan: I have a petition addressed to the Legislative Assembly of the province of Ontario which reads as follows:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the assembly shall demand that the government of Ontario rescind its decision to eliminate the oath of allegiance to the Queen of Canada for police officers, who must uphold laws that are proclaimed in the name of Elizabeth II."

I have affixed my signature to this petition and concur with it.

TAX INCREASES

Mr McLean: My petition says:

"Whereas the tax increases imposed by the 1991 budget of the province of Ontario will have a negative effect on firms and businesses in border communities and in particular those engaged in the retail and tourism trades;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to direct one of its committees to hold public hearings in Ontario border communities on the proposed tax increases."

I affix my name to that.

ABORTION

Mr Johnson: I have three petitions I would like to present to the Legislature today. The first, to the Legislative Assembly of Ontario from the Knights of Columbus of Picton, Ontario, is a petition that opposes the government's abortion policy of publicly funding clinics.

PUBLIC SUBMISSIONS

Mr Johnson: The second petition is to the Legislative Assembly of Ontario. It is signed by 55 people concerned about private member's bills 7 and 8. Their concern is that there is not going to be enough time for them to present briefs and submissions to the committee with regard to these bills.

NURSING STAFF

Mr Johnson: The third petition, with 114 signatures, is from people in and around Belleville, Ontario, who are concerned that the Belleville General Hospital board of governors has decided to divide nursing between the Victorian Order of Nurses and two profit-making nursing agencies, and they are not happy with this.

DAY CARE

Mr J. Wilson: I have a petition on behalf of Unicorns Day Care Centre. It reads as follows:

"We, the undersigned, request that the minister take action immediately to rectify the further salary inequity announced 31 January 1991 for early childhood educators.

"We believe that freedom of choice, pay equity and non-discrimination are the backbone of our democratic society.

Furthermore, parents must retain the right to select the day care of their choice."

It is signed by a number of concerned citizens near my riding of Simcoe West.

Mr Turnbull: I have a petition. It reads as follows:

"We, the undersigned, request that the minister take action immediately to rectify the further salary inequity announced 31 January 1991 for early childhood educators.

"We believe that freedom of choice, pay equity and non-discrimination are the backbone of our democratic society. Furthermore, parents must retain the right to select the day care of their choice."

Mr Jackson: I have a petition on behalf of Greendale Day Nursery.

"We, the undersigned, request that the Minister of Community and Social Services take action immediately to rectify the further salary inequity announced 31 January 1991 for early childhood educators.

"We believe that freedom of choice, pay equity and non-discrimination are the backbone of our democratic society. Furthermore, parents must retain the right to select the day care of their choice."

TAIT'S BRIDGE

Mrs Mathysen: Today I am presenting a petition to the Legislative Assembly of Ontario on behalf of 322 citizens of Middlesex and Elgin counties. These citizens represent two communities on the north and south sides of the Thames River.

Since 1915, these communities have maintained close social ties, access to nearby towns and conducted business because they were connected by Tait's Bridge. These citizens are petitioning the Legislative Assembly of Ontario to take the necessary steps to either replace or repair the now closed Tait's Bridge. They respectfully ask help to restore this important link between two communities. I have signed my name to this petition.

DAY CARE

Mr Arnott: I have a petition I would like to present to the Legislature today and it reads as follows:

"We, the undersigned, request that the Minister of Community and Social Services take action immediately to rectify the further salary inequity announced 31 January 1991 for early childhood educators.

"We believe that freedom of choice, pay equity and non-discrimination are the backbone of our democratic society. Furthermore, parents must retain the right to select the day care of their choice."

It is signed by a number of people including constituents of mine.

Mr Ferguson: On a point of privilege, Mr Speaker: With the flurry of activity concerning the day care petitions that are being presented in the House today by the members of the Conservative Party, I would hope they would also send a copy of those petitions to their federal counterparts who ripped off the day care workers in this province to the tune of \$2,000 each by not living up to the—

The Speaker: Would the member for Kitchener take his seat. It is perhaps a point of difference.

TAX INCREASES

Mr Villeneuve: I too have a petition to the honourable Lieutenant Governor and the Legislature of the province of Ontario and it reads as follows:

"Whereas the tax increases imposed by the 1991 budget of the province of Ontario will have a negative effect on firms and businesses in border communities and in particular those engaged in the retail and tourism trades;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to direct one of its committees to hold public hearings in Ontario border communities on the proposed tax increases."

And I fully agree with this petition.

Mr Arnott: I have a petition and it reads as follows:

"Whereas the tax increases imposed by the 1991 budget of the province of Ontario will have a negative effect on firms and businesses in border communities and in particular those engaged in the retail and tourism trades;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to direct one of its committees to hold public hearings in Ontario border communities on the proposed tax increases."

1520

Mr Turnbull: I have a petition to present. It reads:

"Whereas the tax increases imposed by the 1991 budget of the province of Ontario will have a negative effect on firms and businesses in border communities and in particular those engaged in the retail and tourism trades;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to direct one of its committees to hold public hearings in Ontario border communities on the proposed tax increases."

I have affixed my signature to it.

Mr Stockwell: I have a petition as well. I also have a point of interest for the member for Kitchener. If he wanted to bone up on some of his child care statistics, maybe if he went to the Agenda for People he could find out exactly how many promises were broken.

The Speaker: And your petition?

Mr Stockwell: Yes, my petition, strangely enough, is right here.

"Whereas the tax increases imposed by the 1991 budget of the province of Ontario will have a negative impact on firms and businesses in border communities and in particular those engaged in the retail and tourism trades,"—hopefully, for profit; with this government, I doubt it.

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to direct one of its committees to hold public hearings"—they will remember those words from when they were in opposition; remember that?—"in Ontario border communities on the proposed tax increases."

I have also signed this petition.

Mr J. Wilson: I am particularly pleased to present this petition as the Ontario PC critic for Tourism and Recreation. The petition reads as follows:

"Whereas the tax increases imposed by the 1991 budget of the province of Ontario will have a negative effect on firms and businesses in border communities and in particular those engaged in the retail and tourism trades;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to direct one of its committees to hold public hearings in Ontario border communities on the proposed tax increases."

Mr Jordan: I have a petition that reads as follows:

"Whereas the tax increases imposed by the 1991 budget of the province of Ontario will have a negative effect on firms and businesses in border communities and in particular those engaged in the retail and tourism trades;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to direct one of its committees to hold public hearings in Ontario border communities on the proposed tax increases."

DAY CARE

Mr Jackson: I have a petition signed by the parents and the child care workers at Woodland Children's Centre in Burlington:

"We, the undersigned, request that the Minister of Community and Social Services take action immediately to rectify the further salary inequity as announced by her government on 31 January 1991 for early childhood educators.

"We believe that freedom of choice, pay equity and non-discrimination are the backbone of our democratic society. Furthermore, parents must retain the right to select the day care of their choice in Ontario."

It has been signed and it has my full support.

Mrs Witmer: I am pleased to present a petition today to the Minister of Community and Social Services. It has been signed by people in the city of Waterloo and in the city of Kitchener.

"We, the undersigned, request that the minister take action immediately to rectify the further salary inequity announced 31 January 1991 for early childhood educators.

"We believe that freedom of choice, pay equity and non-discrimination form the backbone of our democratic society. Furthermore, parents must retain the right to select the day care of their choice."

I am pleased to affix my signature here.

The Speaker: The time for presentation of petitions has expired.

INTRODUCTION OF BILLS

SOUTH OTTAWA SERVICES FOUNDATION, INC ACT, 1991

Hon Mr Grandmaitre moved first reading of Bill Pr13, An Act respecting South Ottawa Services Foundation, Inc.

Motion agreed to.

LONDON FOUNDATION ACT, 1991

Mrs Cunningham moved first reading of Bill Pr71, An Act respecting the London Foundation.

Motion agreed to.

BIG SISTERS OF SUDBURY ACT, 1990

Ms S. Murdock moved first reading of Bill Pr11, an Act to revive the Big Sisters Organization of the Regional Municipality of Sudbury.

Motion agreed to.

TOWN OF BROCKVILLE ECONOMIC PROTECTION ACT, 1991

LOI DE 1991 SUR LA PROTECTION ÉCONOMIQUE DE LA VILLE DE BROCKVILLE

Mr Runciman moved first reading of Bill 96, An Act to protect the Economy of the Border Community of the City of Brockville.

M. Runciman propose la première lecture du projet de loi 96, Loi sur la protection économique de la communauté frontrière de la ville de Brockville.

1533

The House divided on Mr Runciman's motion, which was agreed to on the following vote:

La motion de M. Runciman, mise aux voix, est adoptée :

Ayes/Pour—83

Abel, Arnott, Bisson, Bradley, Brown, Buchanan, Caplan, Carter, Christopherson, Churley, Cooper, Coppen, Cordiano, Cunningham, Dadamo, Daigeler, Drainville, Duignan, Elston, Eves, Fawcett, Fletcher, Frankford, Gigantes, Grandmaitre, Haack, Hansen, Harnick, Harrington, Harris, Haslam, Hayes, Henderson, Hope, Huget, Jamison, Johnson, Jordan, Klopp, Lankin, Lessard, Mackenzie, MacKinnon, Mahoney, Malkowski, Mammoliti, Marchese, Martel, Mathysen, McGuinty, Miclash, Mills, Morrow, Murdock, S., North, O'Connor, O'Neill, Y., Owens, Peruzza, Phillips, G., Poirier, Poole, Pouliot, Ramsay, Runciman, Silipo, Sola, Sorbara, Stockwell, Sutherland, Turnbull, Ward, B., Ward, M., Wark-Martyn, Waters, Wessenger, White, Wilson, F., Wilson, G., Wilson, J., Winninger, Wiseman, Wood.

Nays/Contre—0

Mr Runciman: Mr Speaker, I am allowed some brief comments in respect of explanation of the bill, am I not? I want to thank the members of the assembly, especially the members of the socialist government, for supporting this legislation. I have trouble with those words "socialist government," but in any event I hope it translates into concrete action.

The purpose of this bill is to protect the economy of the border community of the city of the Thousand Islands—

Interjections.

The Deputy Speaker: Order, please.

Mr Runciman: Thank you very much, Mr Speaker. I certainly appreciate your intervention and your efforts to maintain calm within this assembly. I guess I will have to start that all over again, since I was so rudely interrupted.

Interjections.

The Deputy Speaker: Order. I would ask the other members to remain silent until the member has made his point.

Mr Runciman: I was attempting to give a brief explanation, but the members of the socialist party are giving me a difficult time indeed.

The purpose of this bill is to protect the economy of the border community of the city of the Thousand Islands, the city of Brockville, by ensuring that government-imposed costs do not undermine the competitiveness of firms in the said community.

CITY OF WINDSOR
ECONOMIC PROTECTION ACT, 1991
LOI DE 1991 SUR LA PROTECTION ÉCONOMIQUE
DE LA VILLE DE WINDSOR

Mr Harris moved first reading of Bill 97, An Act to protect the Economy of the Border Community of the City of Windsor.

M. Harris propose la première lecture du projet de loi 97, Loi sur la protection économique de la communauté frontrière de la ville de Windsor.

1547

The House divided on Mr Harris's motion, which was agreed to on the following vote:

La motion de M. Harris, mise aux voix, est adoptée :

Ayes/Pour—70

Abel, Arnott, Bisson, Brown, Buchanan, Caplan, Carter, Christopherson, Churley, Cooper, Coppen, Cunningham, Curling, Daigeler, Drainville, Duignan, Elston, Eves, Fawcett, Fletcher, Frankford, Haec, Hansen, Harnick, Harrington, Harris, Haslam, Hayes, Huget, Johnson, Jordan, Klopp, Kormos, Lankin, MacKinnon, Malkowski, Mammoliti, Marchese, Martel, Mathysen, McGuinty, Miclash, Mills, Morrow, Murdock, S., North, O'Connor, O'Neil, H., O'Neill, Y., Owens, Perruzza, Poirier, Ramsay, Runciman, Sola, Stockwell, Sutherland, Turnbull, Ward, B., Ward, M., Wark-Martyn, Waters, Wessenger, White, Wilson, F., Wilson, G., Wilson, J., Wiseman, Witmer, Wood.

Nays/Contre—0

Mr Harris: Just as today I had to fight for the Canadian Auto Workers, many of them located in Windsor, the purpose of this bill is to protect the economy of the border community of the city of Windsor by ensuring that government-imposed costs do not undermine the competitiveness of firms in the said community of Windsor.

TOWN OF FORT FRANCES
ECONOMIC PROTECTION ACT, 1991
LOI DE 1991 SUR LA PROTECTION ÉCONOMIQUE
DE LA VILLE DE FORT FRANCES

Mr Harris moved first reading of Bill 98, An Act to protect the Economy of the Border Community of the Town of Fort Frances.

M. Harris propose la première lecture du projet de loi 98, Loi sur la protection économique de la communauté frontrière de la ville de Fort Frances.

1558

The House divided on Mr Harris's motion, which was agreed to on the following vote:

La motion de M. Harris, mise aux voix, est adoptée :

Ayes/Pour—62

Arnott, Bisson, Bradley, Caplan, Carter, Christopherson, Churley, Cooper, Coppen, Cunningham, Dadamo, Daigeler, Drainville, Duignan, Elston, Eves, Fawcett, Frankford, Grier, Haec, Harnick, Harrington, Harris, Haslam, Hayes, Hope, Huget, Jackson, Johnson, Jordan, Klopp, Kormos, Lankin, Lessard, Malkowski, Mammoliti, Marchese, Martel, Mills, O'Connor, O'Neill, Y., Owens, Perruzza, Poirier, Pouliot, Runciman, Sola, Stockwell, Sutherland, Turnbull, Villeneuve, Ward, B., Ward, M., Wark-Martyn, Waters, Wessenger, White, Wilson, F., Wilson, G., Wilson, J., Winninger, Wiseman.

Nays/Contre—0

Mr Harris: Just as today it was left to me to fight for the Canadian Auto Workers throughout this province and then again for the workers—

Interjections.

The Deputy Speaker: Order, please. The member for Nipissing.

Mr Harris: —and then, as in the previous bill, for the workers in the border community of the city of Windsor, the purpose of this bill likewise, An Act to protect the Economy of the Border Community of the Town of Fort Frances, is to protect the economy of this border community, the town of Fort Frances, by ensuring that government-imposed costs do not undermine the competitiveness of firms in the community of Fort Frances. I thank all members for supporting this initiative.

TOWN OF GANANOQUE
ECONOMIC PROTECTION ACT, 1991
LOI DE 1991 SUR LA PROTECTION ÉCONOMIQUE
DE LA VILLE DE GANANOQUE

Mr Runciman moved first reading of Bill 99, An Act to protect the Economy of the Border Community of the Town of Gananoque.

M. Runciman propose la première lecture du projet de loi 99, Loi sur la protection économique de la communauté frontrière de la ville de Gananoque.

Mr Wiseman: On a point of order, Mr Speaker: We have been receiving these bills, and under—

The Deputy Speaker: I will listen to your point of order after the vote.

Mr Wiseman: No, it is pertinent to this before we vote.

The Deputy Speaker: I am sorry, I cannot hear you.

Mr Wiseman: Under standing order 37, page 32 of the standing orders, it says, "No bill may be introduced in blank or imperfect form." How can I ascertain whether this is in perfect form if I do not have a copy of this bill to peruse? I think, at the very least, courtesy would dictate that we should have copies of these bills for the members on this side to be able to peruse and to see if they conform to the standing orders.

My rights as a parliamentarian are being abused by the fact that I do not have a copy of these bills prior to their

being introduced in the House. I cannot do my job as a parliamentarian, a duly elected member of this House, without seeing these bills.

Interjections.

The Deputy Speaker: There is nothing that can derogate to that. The bill has been introduced, and once it is printed, it is up to the Speaker to decide if the bill is in order or not. Thank you very much.

Where are we now? Mr Runciman has moved An Act to protect the Economy of the Border Community of the Town of Gananoque.

1612

The House divided on Mr Runciman's motion, which was agreed to on the following vote:

La motion de M. Runciman, mise aux voix, est adoptée :

Ayes/Pour—52

Arnott, Beer, Bisson, Bradley, Buchanan, Caplan, Carter, Christopherson, Churley, Cooper, Coppen, Cunningham, Dadamo, Daigeler, Elston, Eves, Fawcett, Grandmaître, Harnick, Harrington, Hayes, Huget, Jackson, Jamison, Johnson, Jordan, Kormos, Lessard, MacKinnon, Malkowski, Marchese, Martel, Murdock, S., North, O'Connor, O'Neill, Y., Poirier, Runciman, Sola, Sorbara, Stockwell, Tilson, Turnbull, Villeneuve, Ward, B., Ward, M., Waters, Wessenger, Wilson, G., Wilson, J., Wiseman, Wood.

Nays/Contre—0

Mr Runciman: This has been a wonderful afternoon indeed. I have introduced two pieces of legislation and both have been supported by the socialist government. Amazing indeed. I want to express special consideration to the member for Durham West who supported this legislation without a copy of the bill in front of him. I very much appreciate it.

As a brief explanatory note, the purpose of this bill is to protect the economy of the border community of the town of Gananoque.

Mr Johnson: On a point of order, Mr Speaker: The members of the third party are confused. They say nay and then they vote in favour of the bill. I do not understand this. I thought maybe the people of Ontario might like to know this.

Interjections.

The Deputy Speaker: Order, please.

Mr Runciman: It is regrettable that the member for Prince Edward-Lennox-South Hastings has intervened to delay the proceedings of this House, very regrettable indeed.

The purpose of this bill, as I was trying to explain before I was interrupted by the socialist member for Prince Edward-Lennox-South Hastings—that is pretty difficult to comprehend, a socialist member for Prince Edward-Lennox—is to protect the economy of the border community of the town of Gananoque.

Mr Jackson: That's where my father was born.

Mr Runciman: The town of Gananoque is where the father of the member for Burlington South was born. He still has relatives there.

The purpose of the bill is to protect the economy of the border community of the town of Gananoque by ensuring that government-imposed costs do not undermine the competitiveness of firms in the community.

TOWN OF AMHERSTBURG
ECONOMIC PROTECTION ACT, 1991

LOI DE 1991 SUR LA PROTECTION ÉCONOMIQUE
DE LA VILLE DE AMHERSTBURG

Mr Eves moved first reading of Bill 100, An Act to protect the Economy of the Border Community of the Town of Amherstburg.

M. Eves propose la première lecture du projet de loi 100, Loi sur la protection économique de la communauté frontrière de la ville de Amherstburg.

1623

The House divided on Mr Eves's motion, which was agreed to on the following vote:

La motion de M. Eves, mise aux voix, est adoptée :

Ayes/Pour—38

Arnott, Beer, Bisson, Buchanan, Caplan, Carter, Churley, Cooper, Coppen, Cunningham, Daigeler, Drainville, Eves, Fletcher, Grandmaître, Harnick, Hayes, Huget, Jamison, Jordan, Klopp, Malkowski, Marchese, Martel, Mills, Morrow, Murdock, S., North, O'Neill, Y., Poirier, Runciman, Stockwell, Ward, B., Waters, Wessenger, Wilson, J., Wiseman, Wood.

Nays/Contre—0

The Acting Speaker (Mr Villeneuve): Does Mr Eves have a short explanation of his bill?

Mr Eves: Very short. The purpose of this bill is to protect the economy of the border community of the town of Amherstburg by ensuring that government-imposed costs do not undermine the competitiveness of firms in the said community.

Mr Mills: On a point of personal privilege, Mr Speaker: I stand here this afternoon because I tend to think that people judge people by the company they keep. If they smoke marijuana, whether you smoke marijuana or not, people assume you smoke marijuana.

The Acting Speaker: What is your point of personal privilege?

Mr Mills: I am coming to that, Mr Speaker. My point of personal privilege is that the behaviour in the House reflects on me. The people who sent me to Queen's Park must think I am as silly as the other people, and I take exception to that because I am here to do business and I do not want to be associated with such stupidity. That is why I stand here. It is my privilege to say that.

The Acting Speaker: Thank you. That is very much a matter of opinion and not personal privilege.

1630

ORDERS OF THE DAY

House in committee of the whole.

La Chambre en comité plénier.

FAMILY SUPPORT PLAN AMENDMENT ACT, 1991
LOI DE 1991 MODIFIANT LA LOI SUR LE RÉGIME
DES OBLIGATIONS ALIMENTAIRES
ENVERS LA FAMILLE

Resuming consideration of Bill 17, An Act to amend the Law related to the Enforcement of Support and Custody Orders.

Reprise de l'étude du projet de loi 17, Loi portant modification des lois relatives à l'exécution d'ordonnances alimentaires et de garde d'enfants.

The Second Deputy Chair: At the last sitting on this bill, we had the following government motions: subsection 2(1) of the bill; subsection 2(3) of the bill; proposed subsection 2(1) of the act; section 4 of the bill, proposed subsection 3.3(4) of the act; section 4 of the bill, proposed subsection 3.3(24) of the act; section 4 of the bill, proposed subsection 3.3(30.1) and (30.2) of the act; section 4 of the bill, proposed subsection 3.4(2.1) of the act; section 4 of the bill, proposed subsections 3.4(5) and (6) of the act; section 4 of the bill, proposed subsections 3.9(2) and (3) of the act; section 4 of the bill, proposed subsection 3.9(10) and (11) of the act.

Further government amendments: section 5 of the bill, proposed subsection 4(2) of the act; section 11 of the bill, proposed section 12.2 of the act; section 12 of the bill, proposed section 13.2 of the act. Those are the government amendments.

The following are amendments by the Progressive Conservative Party, all under the name of the member for Willowdale: section 4 of the bill, proposed subsection 3.3(4.1) of the act; section 4 of the bill, proposed subsection 3.3(5.1) of the act; section 4 of the bill, proposed subsection 3.3(6) of the act; section 4 of the bill, proposed subsection 3.3(8) of the act; section 4 of the bill, proposed subsection 3.3(25) of the act; section 4 of the bill, proposed subsections 3.4(11.1) to (11.3) of the act; section 4 of the bill, proposed subsection 3.8(4) of the act; section 4 of the bill, proposed subsection 3.8(10) of the act; section 19 of the bill. Do we have further amendments?

Hon Mr Hampton: I have one further amendment and I would be pleased to provide copies of the amendment to members of the opposition.

The Second Deputy Chair: Mr Hampton moves that section 4 of the bill be amended by adding the following as a section of the act:

"3.13. Where a support deduction order has been made in respect of a support order that has not been filed in or that has been withdrawn from the director's office, the person entitled to receive support shall inform the director in writing of,

"(a) the amount of money received on account of the support order other than through the support deduction order; and

"(b) any changes in the amount to be paid under the support order."

Mr Sorbara: On a rather minor point of order, I see, in looking across the House, both the Attorney General and the member for—I do not know his riding. Is it Simcoe Centre?

The Second Deputy Chair: Simcoe Centre.

Mr Sorbara: The very capable parliamentary assistant of the Attorney General is sitting at the front of the House, I guess prepared to carry Bill 17 through this committee of the whole. Mr Chairman, perhaps you could help me out on this, but if I recall procedure correctly, the tradition or perhaps even the rule is that either the minister or the parliamentary assistant carries the bill through committee of the whole, but it is either inappropriate or indeed out of order that both the Attorney General and the parliamentary assistant carry the bill.

I do not mind that both of them want to be here, but as a matter of order I think it is, first of all, important for you to identify which of these two capable members is going to be carrying the bill. Refresh my memory and help me on this point, whether it is appropriate for both government members, the minister and the parliamentary assistant, to be carrying the bill.

The Second Deputy Chair: I believe the minister, the Attorney General, is here and I would presume it is his bill and he will be carrying the bill. The parliamentary assistant is at his side and I believe the standing orders say that he may occupy a seat adjacent to the Attorney General.

Mr Harnick: Mr Chair, I noticed when you were reading out the numbers of the various amendments you were using the word "dash" as opposed to the decimal point.

I bring to your attention that this is the first bill that has been prepared by legislative counsel that has used the new numbering system. I am pleased to report to the House that I was part of the cause of that because I had extreme difficulty, as we were debating this bill in committee, following the numbers because there was so much repetition and I never knew what part of the bill we were on.

You will note, Mr Chair, that the bill as it is now drafted uses the decimal point system. I know you were referring to it as a dash, but it is significant that the present numbering system has been changed. That is a very significant difference, certainly one of the significant things about this bill.

That is not really what my prime concern is regarding this bill. I have grave concern whether there will be any persons left in this province who will be able to afford to make the payments because of the budget that now is before the public.

Accordingly, I would move that the Chair report progress and ask for leave to meet again.

Hon Mr Hampton: On a point of order, Mr Chairman: Was the member speaking on a point of order? I believe there is an order of speaking with respect to this legislation.

The Second Deputy Chair: He was speaking on a point of order regarding my references to the way the bills

were drafted, and it was a point of order. It was not the normal rotation. I believe the honourable member brought a very valid point of observation. We appreciate his having mentioned that I had used "hyphen" instead of "period." We do not have hyphenated bills here; they are all period and brackets and I think that was a very valid observation of the member for Willowdale.

Mr Eves: On a point of order, Mr Chairman: Was the member for Willowdale recognized on a point of order or was he in fact recognized and given the floor? Because if he was recognized and given the floor, with all due respect, Mr Chairman, his motion is a valid one, it is not debatable and it is not amendable, and I think you should call the question.

Mr Harnick: I never mouthed or mentioned the words "point of order" when I stood.

The Second Deputy Chair: You were addressing the method in which I had read out the bill, I believe.

Mr Sorbara: He was making some opening comments, but he really did make a motion, and you are pretty well bound to—

The Second Deputy Chair: I recognized the member because he was the first to rise. I did not notice—

Interjections.

The Second Deputy Chair: Whether the member for Willowdale mentioned point of order or not, I assumed it was a point of order because he was referring to the method in which the bill was presented.

Mr Harnick: I wanted to point out to the Legislature that this was a new innovation. I certainly was not making any point of order and it was one of the very significant aspects of this bill. It is probably the clearest aspect of this bill. I rose to tell the Chair that very fact. I never stood on a point of order or any other point, for that matter.

1640

The Second Deputy Chair: I personally have ruled it and considered it to be a point of order, because you were referring to the method in which the amendments were presented. The normal rotation was not being followed.

Hon Mr Hampton: I am very pleased to be here to discuss Bill 17, An Act to amend the Law related—

Mr Eves: On a point of order, Mr Chairman: If you are ruling here today that a dilatory motion can only be put when a person obtains the floor—once a Speaker or a Chairperson, with all due respect, recognizes an individual who has not risen on a point of order, and you recognize that individual, they have the floor. Once they have the floor, a dilatory motion is more than in order—your own Speaker has ruled that—at any time.

The member for Willowdale had the floor. He had not raised a point of order. You chose, rightly or wrongly, to recognize him. Having done that, his motion is fully in order and we should not—

Hon Miss Martel: Mr Chairman, if I might jump into this, it seems to me that you stated very clearly to all and sundry in this place that you thought he was up on a point of order. Therefore, under the rules of this House, a mem-

ber cannot move a dilatory motion on a point of order. I would suggest that the rotation should start here, as it normally should under any debate, and that my colleague the Attorney General should be allowed to begin.

Mr Sorbara: I just want to try and be helpful on this. I think we all agree that it would be inappropriate and out of order for a motion that the committee rise and report progress and beg leave to sit again if indeed the member had been speaking to the committee of the whole on a point of order. There is some doubt about that. I understand your view that perhaps that was the case.

As I sat and listened to these proceedings, I personally did not hear him rise on a point of order. My own understanding of his comments was that he stood up to make some introductory comments about the bill and, for some unknown reason, started talking about the numbering system, then said a word or two about the substance of the bill, said a word or two about the state of the economy, another word or two about the budget and then moved the motion.

I think this matter could probably be settled most easily if there was a reference to Hansard to determine whether, in your recognition of the member for Willowdale, you recognized him based on an understanding that he was rising on a point of order or that he was rising to speak on the bill, because the whole matter turns on that. We could probably make a determination if you could refer to Hansard and find some way of figuring out exactly what happened. For my part I am anxious to get down to the substantive consideration of the bill and the amendments.

The Second Deputy Chair: So, I believe, is everyone else. Normally, the rotation would have been the minister. I was looking to the minister and I assumed that he was going to take the floor. The honourable member for Willowdale got up and referred to the way I had read and presented the amendments by both the government and the Progressive Conservative Party. I assumed and have ruled—I am sorry; it has been ruled and that is the way it stands—he was on a point of order. He was referring to the way it was presented. We will proceed with the normal sequence.

Section/article 1:

Hon Mr Hampton: I am pleased to be here to discuss Bill 17, An Act to amend the Law related to the Enforcement of Support and Custody Orders. Since Bill 17 received first reading on 5 December 1990, we have had the benefit of hearing from many individuals and organizations. There were three days of public hearings during which many people made presentations to the committee. They told us what they liked about the bill as well as what parts could be improved. I would like to thank all those who took the time to write or call us or to appear before the standing committee. We have listened carefully to all of the comments—

Mr Harnick: On a point of order, Mr Chairman: This is not the first time this bill has appeared before the committee of the whole House. We have heard the minister, and the minister has completed his speech of introduction regarding the bill. My understanding is that once that is

complete we begin to discuss the sections that are to be amended. I do not know why the minister is making another speech, and I would suggest as my point of order that we go to the first section that the government wishes to amend. He has already made his speech.

The Second Deputy Chair: It is a valid point of order. We are in second reading, clause-by-clause. Would the Attorney General please address section 1 of the bill, section by section?

Hon Mr Hampton: I intend to, but I believe I am entitled to give a bit of a history of this bill since it has already been in committee.

The Second Deputy Chair: This is second reading.

Hon Mr Hampton: Third reading. Committee of the whole, I am sorry.

The Second Deputy Chair: And I have called section 1, with all due respect to the honourable Attorney General. Please proceed.

Mr Sorbara: Introductory remarks are appropriate to section 1.

Hon Mr Hampton: Those are the remarks I was making.

Many of the groups came before the committee and made suggestions. Those suggestions have been incorporated and have resulted in an improved Bill 17.

Interjections.

The Second Deputy Chair: Order, please. The Attorney General is dealing with section 1, I hope. I have some difficulty hearing him.

Hon Mr Hampton: I would also like to thank each of the members of the standing committee on administration of justice for their work. During the clause-by-clause review of the bill, which took some nine weeks, there were many amendments put forward by members of the committee, including a significant number of technical amendments introduced by the government. I appreciate the detailed attention paid to each of the amendments by the members of the committee. In several cases amendments proposed by the government were improved by suggestions made by members of the opposition parties. As well, the opposition parties introduced a significant number of their own amendments. These amendments were discussed and debated at some length and some of them were passed.

I want to point out that there were a number of other amendments which were made to the bill which went beyond clarification. For example, the name of the act has been changed to the Family Support Plan Act. This change will ensure that this act is not confused with the Child and Family Services Act. This concern was brought to our attention by lawyers, by members of the judiciary and by the Ministry of Community and Social Services.

We heard from members of the public, as well as opposition members of the standing committee, that the use of the term "debtor" to refer to the person paying support was not appropriate for this legislation. We changed all references to the term "debtor" to "payor" to reflect the fact that the support deduction plan applies to all payors, not just those in default of their obligations.

I have highlighted just some of the amendments to Bill 17. I am very pleased with the improvements which have been made to the bill throughout this process. As I said, I am grateful to the committee for its very thorough and thoughtful analysis. We have a few additional amendments, and I have already presented those to members.

I want to say, though, that this legislation is of great importance to a number of people in the province. Under the existing legislation only some 30% of the existing support orders are in fact being enforced. We anticipate that this legislation, when it is passed, will improve our capacity to enforce orders so that at least 60% of the orders will be enforced.

I did want to correct one statement that was made earlier. The member for York Centre stated that he had been told that it will take the government until the new year to implement this legislation. We have searched the record very carefully, and we can find no reference to anyone saying this before the committee; no reference whatsoever to this being said before the committee. In fact, it is our view that if we are able to deal with these amendments speedily we should be able to commence the implementation of this legislation by the end of the summer and will have it fully implemented shortly thereafter.

1650

The first amendment is to subsection 2(1) of the bill. Subsection 2(1), as I have already noted—

The Second Deputy Chair: Just a moment, please. I asked for comments on section 1. I believe the honourable Attorney General has, I guess, indirectly referred to the fact that there are no amendments to section 1. I believe that we should also have the honourable critics from the opposition to comment on section 1 and then we will proceed with passing section 1 and moving on to the amendments.

Hon Mr Hampton: I will merely point out, Mr Chair, that—

Mr Sorbara: On a point of order, Mr Chairman: I have three points of order. I really do hate to interrupt the Attorney General in the midst of his speech, but I want to make three points to you.

The first is this: My understanding is that this committee has already met to hear opening remarks by the Attorney General on committee of the whole consideration of the bill. He made those introductory remarks after he set the amendments before this committee. After those remarks, my friend the member for Willowdale had the floor and was making his introductory remarks and then the committee adjourned. It rose and reported or something like that. So it seems to me that the Attorney General is repeating what he has already done in committee of the whole, and that is inappropriate for him to be doing that. In effect, he is making another set of opening remarks and I think that is probably out of order.

My second point of order is this. If I might direct you to rule 103 in the standing orders—it really is the same point that I had made earlier on—the rule reads as follows:

"When the House is meeting in committee of the whole House to consider bills, the minister or parliamentary assistant in charge of the bill being considered by the

committee of the whole House may occupy a seat in the front row of the House and may have up to three staff members seated in front of him or her to supply information to the minister or parliamentary assistant as required."

I recall that when Bill 162 was being considered in the previous Parliament of this House, I and my parliamentary assistant, during one session of committee of the whole, objected to the fact that I, as Minister of Labour, was joined by my parliamentary assistant at that time for consideration. I simply point out that section 103 says, "the minister or parliamentary assistant." It does not say, "and/or the parliamentary assistant." Although I look forward to hearing from the member for Simcoe Centre on the bill, I think if he wants to speak on the bill he should return to his seat and not be charged with carrying the bill.

Obviously, when the Attorney General leaves the House, leaves the committee, then of course we would anticipate that the member would come down and occupy the seat and carry the bill. But it just seems to me, although a technical matter, to be a violation of the rule that the member is there, if I am reading section 103 correctly and if it was correctly interpreted in the last Parliament when we were considering this matter.

My final point is this: I noted that just before he began to speak my friend the Attorney General did table yet another amendment to the bill and he provided copies. I just point out to the Attorney General and to the member for Simcoe Centre, who is not yet sitting in his correct seat, and to the government House leader, who is sitting in her correct seat, that section 73 of the standing orders reads as follows:

"When time permits, amendments proposed to be moved to bills in any committee shall be filed with the Clerk of the House at least two hours before the bill is to be considered, and copies of such proposed amendments shall be distributed to all parties."

I simply submit to you, Mr Chair, that this matter has been before the House and before the committee for quite some time and that, although again it is a technical matter, we have yet another amendment submitted to us. It would have been a simple matter for the Attorney General and/or his parliamentary assistant to table this amendment to the Clerk and distribute it to both opposition parties two hours before. Or, I simply say to my friends in the committee, the Attorney General, when he tabled the bill when he did, could have given a brief explanation to you, sir, who are charged with upholding the rules of this committee, as to why, in this case, time did not permit.

If it is of any interest to anyone, I forgive the fact that rule was not adhered to and I think we should get along with considering the amendment. I just want to point out that under normal circumstances it would be inappropriate and in fact a breach of the rules for the Attorney General to table this amendment when he did without some sort of explanation as to why he could not have come within the time constraints presented in standing order 73.

I ask for your ruling on those three matters: first, whether or not it is appropriate for the parliamentary assistant to speak to the bill out of his place; second, whether or not rule 103 has been complied with, and third, whether or

not my friend breached standing order 73 in not giving an explanation or not complying with the orders.

The Second Deputy Chair: You certainly have one valid point of order and two technical points that we are looking at right now.

The honourable member for Willowdale.

Mr Harnick: I am standing to speak to section 1 which I thought you had invited us to do.

The Second Deputy Chair: We are on points of order. The normal rotation has been broken. The House leader for the government on the point of order.

Hon Miss Martel: Briefly, I would like to speak to the first point of order. There is nothing in our standing orders that does not permit the Attorney General or indeed any other member presenting a bill to make comments with respect to the various sections. I submit to you that is exactly what he did in referring to section 1.

On the second point of order, with respect to standing order 103, the past practice in this Legislature—and I was here for the last three years. On many occasions during the last Parliament in fact the parliamentary assistant and the minister sat together. In terms of the practice of this place, that has been permitted without a problem.

Third, if I might with respect to standing order 73, clearly the operating phrase there is "when time permits," and I would submit to you that the Attorney General no doubt has a good reason as to why these were not tabled two hours before.

Those are the comments I would like to make with respect to the points of order raised.

Mrs Y. O'Neill: On the same point of order, Mr Chairman: I think the precedent in the House is a common courtesy that the minister and the parliamentary assistant request permission to sit outside their own seats for such discussion in committee of the whole.

The Second Deputy Chair: It is my understanding that the Attorney General will be carrying the bill. His parliamentary assistant has chosen to sit beside him but will not be allowed to participate in the debate.

If the parliamentary assistant has to take over, if the Attorney General has to leave, then he will move to the Attorney General's seat and would then be in charge. If the parliamentary assistant is to participate in the debate, he must return to his seat.

On the first point of order, on the last sitting day—and there has been some strain in the Legislature—we did list the amendments, and then the Chair was asked to leave the chair and there was a vote. Basically, the amendments were listed.

I do not believe we can limit and I would not be prepared to limit the comments of the Attorney General. They may be repetitious, and we do have some repetition from time to time in this Legislature, but I would not be the one to impede the Attorney General when he wants to address, in a general nature, the thrust of the bill. I believe that is what was done, and I will allow the two opposition parties to also address and reply to the Attorney General prior to getting into passing of the first section of this bill.

Standing order 73, which was the final point of order, regarding the two-hour limit requirement: Apparently there is some flexibility here. It certainly would be appropriate, if indeed time was not of essence, to provide the opposition at least two hours for any further amendments, which was the case. I gather the amendments were presented immediately when the bill was being presented, and there was no time for the opposition to study the one final amendment as brought in by the government.

Mr Sorbara: Just to conclude that point, obviously I accept your ruling on that. I just thought it might have been a common courtesy on the part of the Attorney General to point out to the members of the House that unfortunately, for whatever reason, he was not able to comply with rule 73 and to give a brief explanation. I recall again that when I was carrying a bill of some controversy through this House, I had a staff member who inadvertently failed to present the amendments to the table and to the opposite parties two hours before committee of the whole consideration, and he was insisting on—

Hon Miss Martel: Point of order—

Mr Sorbara: I think I do have the floor, sir.

The Second Deputy Chair: You do have the floor.

Mr Sorbara: The final point is again the first point that I brought up. My understanding was that the Attorney General had the floor when the committee last rose and reported.

Now, the member for Willowdale suggested he had the floor. I think the best thing to do would be for us to just commence consideration of the bill with the person who last had the floor—and my understanding was that was the Attorney General, or indeed it might have been myself; I recall moving that we rise and report—and that we get on with it.

I do hope, sir, that you are prepared to entertain some general comments from each of the critics—the Attorney General apparently has already given his general comments—on the bill before we go clause by clause.

The Second Deputy Chair: Yes, I thought I had made that clear, that indeed we will be allowing the two opposition parties the opportunity of addressing the thrust of the bill and that is the way we proceed.

The last day that we discussed this bill, the member for Willowdale had the floor and there was a vote, there was a 30-minute bell, and I believe that is when we rose and reported, immediately after that particular vote. Indeed the committee was asked to rise and report when the vote was taken, and the member for Willowdale was at that point presenting his amendments to the bill.

Back to section 1, the honourable member for York Centre.

Mr Sorbara: I now propose to make some general comments on the bill. I do not intend to take too long. We have had extensive consideration of this bill in committee. I want to begin by referring very briefly to a point that my friend the Attorney General raised in his opening comments. It was yet another little knife thrown across the House, directed I think in my direction.

Interjections.

Mr Sorbara: The government House leader, who has lost complete control of this place, now is trying to disrupt the conduct of this committee with her interjections, but I am going to try my best to ignore her, as the rest of the province and certainly northern Ontario is doing.

Interjections.

Mr Sorbara: I will just wait for the member for Sudbury East to stop shouting in this committee.

The Attorney General suggested he had searched Hansard to find the location where there was testimony before the committee about when this bill, Bill 17, was going to be put into place. I want to confess to the Attorney General that it is not in Hansard. There is no official record of anyone in his ministry suggesting that 1 January 1992 was the earliest practical date that SCOE could be implemented.

Now I want to ask him in this committee whether he would like to stand up and say when he does plan to implement it. The reason that is important is that there have been accusations on the part of the Attorney General directed at me that somehow we have been holding up payments that are to be made to spouses who are not getting support. Even now the Attorney General is nodding his head in agreement, suggesting that somehow we are doing it.

I point not to Hansard, because not everything happens in Hansard. Some things happen in just realistic conversation between two people. We were in that committee a long time and I got to know the minister's staff. They are very competent. They serve him very well. One of his staff members, Brian Harrison, who is now sitting behind the Speaker's chair, is the minister's manager of client services. He is the one who is actually going to implement this. During committee consideration, I said to him, not on the record, "When do you think you're actually going to be able to have this thing proclaimed and put into force?" He said to me, "Probably about 1 January of next year."

If the Attorney General wants to call for a bowl of water and wash his hands of the views of his manager of client services, let him do that; or if the Attorney General wants to stand up in this House—if he wants to stand up right now, I will cede the floor—and say that he is prepared to implement this bill upon the date that it gets royal assent, that would be fine. We are looking for early implementation.

The terrible thing about the Attorney General's first seven months in office is that he has quickly turned a bill and a project that has great merit to it into a political football. We are now of course getting letters in our constituency offices—I know where these letters come from; they are urged on by the political staff of ministers—accusing us of holding up SCOE.

I have not been able to get anyone from the Ministry of the Attorney General to actually tell us when SCOE is going to be implemented. For example, if we were to complete third reading today and ask His Honour to come in here and give royal assent, I would like to know when the bill is going to be proclaimed and when women, men and children in this province are going to be able to take advantage.

I am just going to cede the floor for a moment and, in committee of the whole consideration, put that question directly to the Attorney General. I want him to tell us right now when he plans on proclaiming and implementing Bill 17.

Hon Mr Hampton: As I have indicated earlier, as soon as this legislation is passed and receives third reading. We have already received the okay from Management Board of Cabinet to proceed with the implementation. The funds are ready and we are ready to implement this legislation, as soon as the opposition sees fit to pass the amendments and as soon as the Conservative opposition in particular stops holding up all the procedures of the House.

Mr Sorbara: Before I continue with my remarks, I would like the Attorney General to answer the question directly. The bill says that it will come into force on a date set by proclamation. In layman's terms, that means when the cabinet decides. If we complete consideration of this bill in the month of May, by 31 May, when will the Attorney General arrange for proclamation of the bill and putting its provisions into force?

When will the minister do that? Will it be one week after proclamation, one month after proclamation, three months after proclamation or 1 January 1992? When does the minister propose to proclaim it? That is a simple question and we deserve a simple answer. The people of the province who are going to rely on this deserve an answer.

Hon Mr Hampton: I find this interesting coming from the member who singlehandedly held up this legislation in nine weeks of committee hearings. I have already indicated that we intend to proceed with the implementation of this bill forthwith. I indicated before, on the record, that we thought we could have the bill fully implemented and proclaimed by the fall.

1710

Mr Sorbara: My apologies. I think that is good news. I think the Attorney General has just made a commitment that he is going to have it proclaimed by the fall. The fall is a period of some three months. It runs from 21 September to 21 December generally, give or take a few hours on either end of that. I would expect that the Attorney General be true to his word because, believe it or not, I tell my friend the Attorney General, we support this measure. In fact, if he would just once be truthful and honest about this measure, it is a bill that there is—

Hon Miss Martel: On a point of order, Madam Chair: I just heard the member for York Centre say if the Attorney General was to be truthful. I really think that is questioning his integrity and should be withdrawn.

The First Deputy Chair: I am sure the member for York Centre will take that under advisement.

Mr Sorbara: I would never question the integrity of the Attorney General of Ontario, even this one. I simply say—

Hon Miss Martel: You would have questioned Ian, would you? Is that what you're saying?

Mr Sorbara: More interjections.

What I was in the midst of saying is that if the Attorney General were to be truthful and honest about this bill, he

would advise this committee that this bill is devoid of politics. This is in fact a bill that the previous Attorney General of the province had been preparing in the Ministry of the Attorney General. There had been cabinet submissions on it, there had been cabinet approvals on it, and an election intervened.

Interjections.

The First Deputy Chair: Order. I have recognized the member for York Centre. The member for York Centre now has the opportunity to question and comment on this particular legislation.

Mr Sorbara: No, not questions and comments; opening comments.

The First Deputy Chair: Opening remarks.

Mr Sorbara: If even this Attorney General were to be truthful and honest about this bill, he would acknowledge that when he came into the ministry this was a project that was in a full stage of development under a previous administration. Yes, an election intervened and yes, we lost the election. Yes, the member for Rainy River was appointed the Attorney General and yes, it is the Attorney General's responsibility to take up projects that are at a full stage of development and determine whether or not he wants to proceed. Yes, the Attorney General determined to proceed and yes, in fact when he did introduce the bill he made some acknowledgement that this had been something that was already in the final stages of development.

That is good. That was an honest comment. Indeed the Attorney General, who now leaves the chamber unfortunately and cedes—

Mr Bisson: On a point of order, Madam Chair: I do not think that the member from across should allude to that. If you look, the Attorney General is actually sitting there. He turned to pick up some papers out of his briefcase.

The First Deputy Chair: That is a point of information, thank you.

Mr Sorbara: I inadvertently misled the House and whoever cares to watch. The Attorney General indeed did not leave the House. He has now taken to signing his correspondence. I do not blame him for that. He may not want to pay attention to these opening remarks or committee consideration.

Interjection.

Mr Sorbara: That is right. The Solicitor General does not have that problem. He has others do that for him.

Yes, the Attorney General did make some amendments to this project which was in fact full-blown. Some of them we supported in committee and others we rejected. It was not our policy; we would not have framed the bill exactly in the way that he did. But he is the Attorney General and he is the one who is responsible for the presentation and the carriage of the bill. We accept that.

We did take a long time to consider this bill in committee. One of the reasons we did—

Mrs Cunningham: We considered it; they didn't consider it. There's a difference.

Mr Sorbara: Of course, the government members did what they were told; but we considered it a long time.

I suggest we did that for two reasons. First, there was no prospect of early implementation of this bill. Second, and surprisingly, notwithstanding that a new government had been elected, there was virtually nothing else for the committee to do. Notwithstanding that we have our first socialist government in the province's history, in the first eight months there was virtually no legislation given to the standing committee on administration of justice to consider, other than this project which I describe as a non-partisan, sort of liberal, good policy kind of project.

Overall it is a good bill. We think we presented some proposals that could have made it better. In fact, after much consideration and much deliberation about this bill, not only in committee but around the province on the editorial pages of a variety of newspapers, one major newspaper in Metropolitan Toronto actually agreed with us on this bill. They agreed with us in what we said about the bill, and that is simply this: that it is important to have this kind of tool within the branch, which is called, until the bill passes, the support and custody orders enforcement branch of the Ministry of the Attorney General. It is a very sharp tool. It cuts right into the private life of many individuals in this province, and it does so with a tool that is without precedent in this sort of activity in Ontario and, I believe, in all of Canada.

What is that tool? The tool is an automatic deduction from a paycheque of a debtor spouse who is the subject of a court order to pay support on a periodic basis to a so-called creditor spouse.

My friends over there in the NDP might not think that is significant. Perhaps they think that because they have not been sitting in this Parliament very long. But the authority of the state to, without appeal and without further consideration, automatically remove up to 50% of your paycheque before you get it is a substantial intervention in the private lives of individuals and in the private relationship between an individual and his or her employer.

Mr Elston: Particularly when there has been no default.

Mr Sorbara: That is particularly the case—as my friend the member for Bruce, who participated in many of the considerations of this committee, points out—when there has been no default. There is nothing inappropriate that the individual debtor spouse did; he is just the subject of the order.

Under this bill every person who is subject to an order to make periodic payments to a creditor spouse, or a spouse entitled to support, will have, after this bill is passed, a support deduction order issued by the court which is then, under the law that we are about to pass, sent to an employer who is then under a legal obligation at that point to begin taking off payments and sending those payments to the government so that the government can send on those payments to the spouse that is entitled to support, automatically. It is so automatic that even if the two spouses do not want this to happen, the law requires that it does happen. That is where we disagree.

In our bill, if the two spouses agree that the government does not need to intervene in this way, and if the judge thinks it is okay, they can get out of the system. The

Toronto Star, having considered the matter as well, agreed with us that it would be more appropriate to allow two spouses who did not want the assistance of the government in collecting these periodic payments to avoid the intervention of the government.

What is going to happen under the bill as presented by the Attorney General is that many, many cases involving husbands and wives who are willing and able and committed to paying support regularly will nevertheless have to have these payments deducted by the employer, have to have these payments sent to the government, and have to have these payments made, through the government, to the spouse entitled to support.

That is why we have a \$10-billion deficit, by the way. That is one of the reasons. It is one of the added burdens. We said in committee, through some nine weeks, that we could relieve the government of a small part of its responsibility. We could change this bill to allow spouses who did not want the government to intervene to be relieved of that.

1720

In fact, if members look at the bill they will find a little section in there that does allow some spouses to avoid the impact of this bill. Do they know who? The people who are rich, because the act says, as the government proposes to pass it—and I invite members to read it—that if you have to pay support and you can put up four months' worth of support in the bank, called the Ministry of the Attorney General, then we will consider letting you out of the system.

Most of the people who run into these situations are people, average men and women, who do not have a lot of money in their bank account, who do not have the financial capacity to put up four months' worth of support on deposit to ensure their obligations. What are we saying through this bill? We are saying that there shall be a law for the rich and there shall be a law for the rest of the people. The law for the rich allows you to avoid the intervention of the socialists, but for the poor or the ordinary man and woman on the street going through a separation and a divorce, no such luck. The government is going to be there. The government automatically will inform your employer that you are now separated and subject to a support deduction order and you are going to be paying from now on with an automatic deduction off your paycheque.

Okay, that is the way they want it. That is the way they are going to get it. But I want to say that through nine weeks of committee hearings there was absolutely no interest in even listening to our arguments. Sure, they sat there, but there was no call from the Attorney General to me as critic, or to the member for Willowdale as critic, to say, "Would you like to sit down and discuss this?" Not once. I mentioned over and over again in Hansard that perhaps we could discuss this, but did the parliamentary assistant to the Attorney General make some overtures at the end of the committee, before the committee held its hearings on a day, to say, "Look, we hear what you're saying, but maybe we could discuss it; maybe there is some sort of middle ground"? Absolutely nothing in that regard.

We think we could have made it a better bill. We think we need the bill. We think this intervention is appropriate.

We think it is a dangerous tool, inappropriately used, and there were some amendments that we presented that would have made it a finer tool. Those amendments were not accepted. We accept that; they are the government. But the worst part of my experience in consideration of this bill was the duplicity in the general way in which the government carried this project. If members look at the press announcements and the various statements by the parliamentary assistant to the Attorney General, and the Attorney General himself, who is now busy signing his mail, very much into it—I do not know why he is here if he wants to sign his mail. If he wants to sign his mail, I suggest that he go to his office and sign his mail.

Interjections.

The First Deputy Chair: Order. The member for Bruce does not have the floor. The member for York Centre has the floor.

Interjection.

The First Deputy Chair: The member for Etobicoke West will refrain from—thank you.

Interjection.

The First Deputy Chair: The member for Willowdale does not have the floor either.

Mr Sorbara: The Attorney General, as he goes through his bill, interjects that he has not heard anything yet, and I submit that is exactly the problem we had through nine weeks of committee consideration of this bill. He says, “I haven’t heard a thing yet,” so let him go on and sign his mail, but the problem we had, the duplicity we saw in the committee, was that he went around and gave speeches, and indeed the Premier went around suggesting that this was going to be the great government initiative to deal with child poverty in the province of Ontario.

Nothing could be further from the case. That is an insult on top of the agony that those people suffering poverty are confronting. The government insults them by saying that a bill that gives the ministry a tool that, frankly, it already has—because it could do all of this without this bill, or almost all of it. They could register garnishees against every person—without even a default, they could do that—so they do not really need this tool. It just makes it a little bit sharper.

But the Attorney General never acknowledged that his ministry and this branch are grossly underfunded, that the poor workers who are trying to deal with all the demands for better service from SCOE are going nuts because they cannot keep up with the case load.

We looked at this region by region and city by city. It is absolutely outrageous. Those folks over there in the government know about this and my friend the member for Sudbury East knows about this because she knows the backlog. Her friend the member for Sudbury, her former constituency assistant, admitted as much in committee, that there is a terrible backlog. My friend the member for Sudbury East will examine the budget of the Ministry of the Attorney General and find there is no additional money to deal with this problem.

Interjection.

The First Deputy Chair: Order, please. The member for Sudbury East would be reminded that it is not a debate across the floor. Would you please direct your comments through the Chair.

Mr Sorbara: Let me remind you, Madam Chair, that the member for Sudbury East is also the government House leader, and she should know the rules that apply to this committee. Her going on and on is simply inappropriate.

Interjections.

The First Deputy Chair: The member for York Centre.

Mr Sorbara: I would love to continue, but—

Interjection.

Mr Sorbara: My friend the member for Bruce says it is an insult to the committee that the Attorney General sits there and goes through his mail during these debates. I am not surprised that the Attorney General is doing that.

In any event, Madam Chair—

Interjection.

Mr Sorbara: Well, another interjection from that big, fancy property owner the member for Downsview, who did not even get a call from the Premier advising him that he had a statutory responsibility under the guidelines either to sell his property or get an exemption.

Mr Bisson: On a point of order, Madam Chair: In regard to the debate that is going on here, this is a bill that I think all members of the House are interested in. We want to see it move on because it is very important to the people of this province. The debate is not between the member for York Centre and the member up in the other end of the gallery over there. The debate is over here, and I would like to see it stay here.

The First Deputy Chair: It is not a point of order, but it is a point of interest.

Mr Sorbara: I stand chastised by my good friend the member for Cochrane South.

The good thing about the Attorney General is that he has a very competent ministry, which is covering for him at just about each base.

Madam Chair, I was trying to explain to you the reason this bill does not really deal with child poverty. I was trying to explain to you how insulted I felt with suggestions that it was a direct attack on child poverty and how insulted I think are the men and women of this province who rely on government intervention of this sort to receive what they justly deserve—the support that a court orders is what they justly deserve—and why this will not do the trick.

1730

The first point is obvious. Let’s pretend we are the subjects of a court order to pay support and this bill is in force and we are the subjects of a support deduction order. When that support deduction order goes to the members’ employer, that means a deduction of up to 50% must be made from our paycheques to satisfy that order.

What happens if we do not have jobs? What happens is that we cannot meet our obligations. We have a province where we have 10% unemployment and a socialist government that has not taken one substantive step to get this

economy back on its feet again. Through all that, they have said they are going to deal with child poverty. That is nonsense.

The First Deputy Chair: The member for Cochrane South.

Mr Bisson: Just a point of information—

Mr Sorbara: There are no points of information.

The First Deputy Chair: The member for York Centre.

Mr Sorbara: The whole tenor of the debate in the committee on behalf of the Attorney General, his representative the parliamentary assistant and the government members was that this bill was really finally going to deal with poverty. If you are an unemployed man or woman somewhere who is the subject of a support order—

Interjection.

The First Deputy Chair: Order. Would the member for Downsview please refrain from joining in the debate when you have not been recognized.

Mr Sorbara: The member for Downsview is going to try to get in on this one way or another. I would just remind him that when we left office, we were coming to the end of a five-year period in Ontario of—

Interjection.

The First Deputy Chair: The member for Willowdale is not part of the debate at this time.

Mr Sorbara: As I was saying, before the member for Downsview shouted out something or other—the interesting thing about the member for Downsview is that he did not once come to the committee. He is so concerned about this that he did not once come to the committee and put on the record his views on this bill. But he is here today and that is good to see, because he might learn something, although I doubt it.

I submit to the members of this committee that the very best way to deal with child poverty and poverty in general is to take steps to ensure that we have an economic environment that allows commercial activity, business activity and activity of all sorts to flourish and that individuals have an opportunity to get jobs.

My riding is the largest riding in the province by population and I admit it is one of the really affluent areas of the province. Historically, it does not have a high rate of unemployment. It is peopled by working men and women, not by high-income earners, but just hardworking people. Almost 180,000 people live in my riding.

Over the past nine months, the great sadness of my life has been the steady procession of constituents coming to my riding from York Centre, the city of Vaughan and the town of Richmond Hill, affluent areas. People are coming to my riding pleading for assistance to try to find a job.

Interjection.

The First Deputy Chair: Order, please. The member for Willowdale, the debate is not between you and the member for Downsview. We are here to hear the member for York Centre, who has time in our day to make his comments.

Mr Sorbara: I admit that York Centre is not like Elliot Lake. We are not about to face 85% unemployment—absolutely unthinkable. Think of the people, think of the separated spouses, a man or a woman living in Elliot Lake who has an obligation to pay support. What does this bill mean to him or her? Those people would be saying: "Big deal. They are going to deduct from my paycheque. Hal-lujah. If you just give me a paycheque, I'll invite you to deduct whatever you want from it." They do not have paycheques. They do not have work. They do not have hope. They feel like they do not have a future. The great tragedy of this government, I say particularly to the Minister of Northern Development, is that nothing of any substance has been done to give those people hope. To celebrate a bill—

Interjection.

Mr Sorbara: Madam Chair, I simply invite you to invite the government House leader to stop her interjections. She of all people should know better.

To say to those people and to members of this House that we have a bill dealing with child poverty is the height of callousness and the height of cynicism. Under the current law, this department, the support and custody orders enforcement branch, can if it wishes go to a court and say, "I want to garnishee the pay of that individual, that man who owes support." They do that in hundreds of cases.

The only difference is that under this bill it will happen automatically. It is like taking a car that has a manual transmission to the shop and putting in an automatic transmission. We support that; we think that is good. We think this branch needs an automatic transmission. We think it needs a good oil change and a good lube in the form of more money to do the job that it is charged with doing.

There was nothing in the budget to provide more money, and I predict that a year from now we will be in the very same circumstances in terms of delay and confusion in this branch as we are right now. Yes, they are changing the name of the branch; they are calling it the child and family support office now. Yes, they are putting a few new decorations on the car, but really what they are doing is taking a clunker and not trading it in, but just putting an automatic transmission in.

If you think an automatic transmission is going to solve the problems of SCOE, well, Madam Chair, I hope you have time enough to spend a lot of time in your constituency office because those people who think the government has dealt with child poverty are going to come to your constituency office and complain in terms that would shock most of us.

The bill does not deal with child poverty. The bill gives the government the authority to automatically start making deduction payments from the debtor spouse, or the payor, the spouse that is required to support—

Mr Sterling: Is this a filibuster?

Mr Sorbara: No, it is not. I am making my comments on SCOE and then we are going to get on and consider it section by section.

I just have a couple of more points to make on the bill; specifically, the inability of the government to recognize

that it could have made the system work even more effectively than it wants to in this bill by providing an opportunity for the good people who honour their obligations to avoid the effects of this bill.

We are going to get into that in more detail, but just to give members a taste of it, I would direct their attention to subsection 3d(3). This is the section that directs the court on what to think about when they are considering whether it would be unconscionable to require someone to be the subject of this bill.

Mr Harnick: What section is this, Greg?

1740

Mr Sorbara: To my friend the member for Willowdale, it is subsections (2) and (3) of section 3d.

Let me set the scene for the members. There are two circumstances under which a payor—let's say a husband who owes support to a wife—can avoid the grip of SCOE and the grip of Bill 17.

One I talked about; that is, putting up four months' worth of payments and banking that—I think without interest, but I might be wrong on that—with the folks who run this branch. They are very competent people, but they are not running a bank. Pretty soon they are going to be running a bank because they are making so many orders to automatically deduct and collecting that and sending it out.

The other way of getting out of SCOE and Bill 17 is if the court thinks it is unconscionable that the individual has to be the subject of a support deduction order. The court can determine whether or not it is unconscionable. The bill does not tell us what the court should think about when it considers an argument about unconscionability, but it says what the judge is not allowed to think about. That is the subject of subsection 3.4(3), and I just want to read out paragraphs 1, 2 and 3.

The first point says the court is not allowed to think about the payor's "payment history in respect of his or her debts, including support obligations." Do members know what that means? That means that the court is not able to take into consideration the fact that this individual might have a history of always paying his or her obligations.

The second point the court is not allowed to consider is, "The fact that the payor has had no opportunity to demonstrate voluntary compliance in respect of support obligations." What does that mean? It is pretty simple and straightforward. It means that the court is not allowed to consider a submission from a husband or a wife who has to pay support to the effect that, "I want to be able to prove to all the world that I'm going to do this freely and voluntarily and I'm not going to be a defaulter and I believe in supporting my wife and my children." It cannot consider that sort of submission.

The third point is "the fact that the parties have agreed to the suspension of the support deduction order." Even if husband and wife honestly agree, go before the judge and say: "Look, we've worked this thing out, we've talked about it and I don't want my husband's paycheque to have a deduction order. I don't want that. I believe that he's going to pay me directly and I don't need your support. I

don't need the government to intervene." It is the old saying, "I'm from the government and I'm here to help."

This says that if you say, "Please leave us alone. Thanks very much, we'll do this privately. We'll try and get along. We'll try and manage it ourselves. The judge has ordered me to pay so much and I'm going to do that," the judge is not allowed to consider that. That is where the Toronto Star and I and our party agree, because we said there ought to be provisions in a modern, democratic state—but apparently not in a modern socialist state—for people to get beyond the grip of the government. Not when you need the support of the government—my God, we are doing this because so many women need the government to have such a sharp tool. That is why we are going to be voting for it and that is why we support it, but the fact is some people do not need the government to collect the support payment for them. Some people want to do it because they honour their obligations, they believe that it is just to continue supporting wife and child after separation and they want to be able to prove that they can do that. Under this bill, they are not allowed to do that.

We say that is what the socialists believe. They believe that the state knows better, even better than consenting adults, two adults who say to a judge: "Look, we can look after this. We don't have a problem. I'm separating from my husband and we're divorcing but we're still friends. We respect one another. Our lives together are over. He loves the children. I love the children. We've worked out custody. They're going to stay with me during the school year and during the summer they're going to go with him. We treat our children well. We honour the time we had together."

Perhaps the wife says: "I don't have a high-paying job. There's not pay equity yet in the province. I haven't made enough yet to fully support myself, so he's going to help out. We ask the judge to put that in the form of a simple order saying that \$200 or \$300 per month will be paid and we want to look after that ourselves. We don't need the state. We don't need the socialists to intervene and collect this money with a support deduction order that's going to his employer. Please save us from this."

The Attorney General's bill says: "We will have none of that. You two separated, and I want to be able to say to my constituencies and my lobby groups that I rammed it through. To hell with what the Toronto Star says and with what so many people said to us during the committee hearings. We're going to ram this through."

Just wait, I say to the members on the government side, until this bill is enforced and the muckups start to happen as the support deduction order comes before the branch.

Interjections.

Mr Sorbara: Madam Chair, the government House leader continues to have a debate with the member for Willowdale across the House, and I simply invite you to acknowledge that fact.

The First Deputy Chair: The member for York Centre has the floor.

Mr Sorbara: I think probably this debate and this consideration of Bill 17 is the first substantive thing that

has happened in this House for two or three weeks. Even given that, even when we finally got to a point where we can have a debate, the government House leader does not have the courtesy or the respect for this House to allow the debate to go on. I invite you, Madam Chair, simply to acknowledge that fact on the record.

The First Deputy Chair: The member for York Centre has the floor.

Hon Miss Martel: In committee, Greg, tell all, make our day.

Mr Sorbara: The government House leader says, "Make our day." I do not know if she thinks she is some sort of Rambo cop in this place, but yesterday she tried to hijack the whole place with a point of order that was an insult to anyone who has any respect for parliamentary traditions not only in Ontario but anywhere in the free democratic world.

Hon Miss Martel: The House of Commons, Westminster. You have to get your facts straight, Greg. You would be much better off.

Mr Sorbara: She says, "The House of Commons, Westminster." I say they may have rules in their standing orders that we do not, but they play by the rules and the government House leader does not play by the rules. She tries to make them up by herself, and she tries to get, in a partisan way, the Speaker of this chamber—

Interjection.

The First Deputy Chair: Order. Would the member take his seat, please. I would remind you that we are commenting on and looking at Bill 17. I would ask that we allow the member for York Centre to complete his time.

Mr Sorbara: By the way, just to inform the members, I intend to speak on this bill for just a few more minutes, and that will probably take the balance of the day.

I hope that when we reconvene after the comments of my friend the member for Willowdale we can rapidly move through the amendments that the government is proposing. Most of them are not terribly significant, a few name changes and that sort of thing.

There was another point that was made during—

Interjections.

Mr Sorbara: Madam Chair, I do want to complete my remarks today, but it is going to become increasingly difficult if the government House leader just continues this kind of banter on and on and on. I recall—

Hon Miss Martel: Poor Greg, I feel really bad for you.

Mr Sorbara: The last thing I need is the sympathy of the member for Sudbury East.

Hon Mr Hampton: Greg for leader of the Liberal Party. Greg, we are going to raise money for you.

Mr Elston: Raise money? You guys spend it.

Hon Mr Hampton: That is what I say. We are prepared to sacrifice. We want Greg to be the leader.

Mr Sorbara: It appears to me that we have finally caught the attention of the Attorney General. He has set

aside the mail, doing some signing perhaps on behalf of the Solicitor General and himself as well.

Hon Miss Martel: We are going to buy buttons.

Mr Sorbara: The member for Sudbury East chuckles away and suggests that I would make a great leader of my party. I say to my friend the member for Sudbury East it is neither here nor there, because the power that the people have in a free and democratic society is far louder than her voice or the voice of anyone else.

1750

Hon Mr Hampton: That's why we're going to vote for you for leader, Greg.

Mr Sorbara: I invite the Attorney General to vote for me for leader. I invite him to cross the floor and join this party. That is going to be a precondition. He is not going to make a reputation for himself as the Attorney General, so why not come over here? Others have done that and have made successful careers. Actually, one of them may become a leader of this party. We invite the Attorney General to do that as well. I do not think that under an administration any of us would run he would be the Attorney General, but he would probably be with a party that has a better sense of integrity, at least if Bill 17—

Hon Mr Hampton: With you as leader, Greg, there's no worry. You'll never be the administration.

The First Deputy Chair: Order. We have a little bit of time left. I am sure the member for York Centre would like to sum up. I would like to hear what he has to say in his summing-up time and I would ask that the government members refrain from engaging in debate across the floor. The member for York Centre.

Mr Sorbara: Thank you, Madam Chair. You are doing a marvellous job in substitution here.

I want to sum up with some comments that were really the subject of, I think, impassioned and important arguments made by my colleague the member for Bruce during the course of the committee hearings. They had to do with the fact that under this bill, tragically, the real beneficiaries are the Treasurer of Ontario and the consolidated revenue fund, because in so many instances the money that is going to be automatically deducted from the paycheques of supporting spouses will go to the Treasurer of Ontario rather than the women and children who so desperately need the support.

Why is that? It is quite simple. Many of these women and children are the beneficiaries of family benefits, and the state, particularly the socialist state represented by the Attorney General, intervenes and deducts the money, takes it and gives it to the Treasurer because these children and these women are living off family benefits. The member for Bruce proposed a very simple amendment.

He said: "Give it to the woman and give it to her children, so that she can have a little more. Have the Treasurer only take the money when the women and children have gotten just a hair above the poverty line. Because if you really want to deal with poverty, then provide them with the money to give them the ability to buy the clothes

and the food and to buy the little things that make life a joy."

Would they entertain that? No. They would not hear of it. We said, "Just let them get that amount of money that brings them to the poverty line." The member for Bruce had an amendment there. He spoke to it. He explained to the committee how it would work. It would not cost billions. They want to deal with poverty. When the Attorney General stood up in this House and announced his bill, he said, "We are going to deal with child poverty and the poverty that too many women in this province are subject to because of defaulting spouses."

So many of these women live from month to month with a welfare cheque or a family benefits cheque that is still inadequate. My God, the food banks. They get the welfare payment and then the food banks. They talk about child poverty and they are going to automatically deduct—remember the sharp tool, automatic deduction—take the money. Who gets it? In many, many cases it is the Treasurer of Ontario, because the person who should get it is on family benefits and, my God, we could not have these people actually getting above the poverty line. That is what the member for Bruce proposed.

Just give them the amount that would take them above the poverty line. The government talked about child poverty. They believe in it. They have got an opportunity to do something. The Attorney General has done sweet nothing in his eight months as Attorney General. He had an opportunity to make a difference and what does he do?

Hon Miss Martel: A million dollars to deal with the backlog that you guys left for three years.

Mr Sorbara: Do you hear an interjection, Madam Chair? I hear an interjection, once again from the member for Sudbury East, the government House leader, who is supposed to uphold the rules about interjections.

Hon Miss Martel: You ought to be ashamed, Greg. All those women, that horrible backlog, and you guys did nothing.

The First Deputy Chair: Order.

Mr Sorbara: I just wonder out loud how much respect we should have. I expect interjections from people like—oh, the member for Downsview has left again. The member for Cochrane North always interjected, but the government House leader? She virtually has not stopped talking since I got on my feet. I do not know what her problem is. I invite her to come and speak on the bill.

Hon Mr Hampton: We are trying to help you out, Greg.

The First Deputy Chair: Order, please.

Mr Sorbara: And now it is the Attorney General you have to call to order.

The First Deputy Chair: The member for York Centre is summing up, I believe.

Mr Sorbara: If we really wanted in this province to do something about the poverty that too many men and

women have to live in and too many children have to live in, we would do perhaps three things.

First, we would take dramatic steps to get the economy going again: not by raising civil service salaries by some 6% to 10% during a depression; not by cutting a deal with doctors that gives them the largest pay increase they have ever had; but something that will give those people who are out of work and who have no prospect of work an opportunity once again, hope once again that they can start supporting themselves and their former spouse, if they have a former spouse to whom they owe an obligation of support. We would do that.

Second, we would get on with some reforms in our system of social support for those who realistically are not going to be able to support themselves.

Third, when we come down to this little project, Bill 17, which has taken so much of our time over the last while, we would make it not only a sharp instrument that intervenes, but an effective instrument.

Madam Chair, I say to you, to the members of the committee with whom I enjoyed consideration of this bill, and the civil servants who are charged with the responsibility of dealing with it after the bill passes, that we could have made it more effective. We could have used the resources of government to better effect, in the name of all the people of the province, not only those who unfortunately now live in poverty but all the rest of the people who must provide the resources to support these activities of government.

I will be commenting on the sections of the bill as we proceed clause by clause during committee of the whole. I want to thank you, Madam Chair, for listening to my comments, and the other members of the House who are here and, in particular, the members of the committee both from the government and the third party who participated in considering this very important project.

Given that it is about a minute before 6 o'clock, I would move that the committee now rise and report.

Mr Harnick: On a point of order, Madam Chair: I understand that we agreed today that we would do this by way of rotation. I have not had an opportunity to make my opening remarks and I would like to clarify that when the committee of the whole sits again I will have the opportunity to make my opening remarks.

The First Deputy Chair: In committee of the whole, the member for York Centre still has the floor and will finish up, I believe. In rotation, the member for Willowdale will have an opportunity under general comments to make his comments.

On motion by Mr Sorbara, the committee of the whole House reported progress.

À la suite d'une motion présentée par M. Sorbara, l'étude du projet de loi en comité plénier de la Chambre est ajournée.

The House adjourned at 1800.

ALPHABETICAL LIST OF MEMBERS

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Speaker: Hon David Warner

Clerk of the Legislative Assembly: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees: Smirle Forsyth

Clerk Assistant and Clerk of Journals: Alex D. McFedries

Sergeant at Arms: Thomas Stelling

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines and to the Minister of Northern Development
			Vice-Chair, standing committee on Ontario in Confederation
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Hon Brian A.	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
Churley, Hon Marilyn	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	
Gigantes, Evelyn	Ottawa Centre	NDP	
Grandmaitre, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities

Name of member	Constituency	Party	Other responsibilities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Chair, standing committee on regulations and private bills Vice-Chair, standing committee on finance and economic affairs
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	Chair, standing committee on resources development Parliamentary assistant to the Minister of Energy
Jackson, Cameron	Burlington South	PC	Chair, standing committee on estimates
Jamison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chair of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	Chair, standing committee on resources development
Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Health, Chair of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
Mackenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathyssen, Irene	Middlesex	NDP	Parliamentary assistant to the Minister of the Environment
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the Whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition

Name of member	Constituency	Party	Other responsibilities
North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
Rae, Hon Bob	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	S-D-G & East Grenville	PC	Second Deputy Chair of the Committee of the Whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Hon Fred	Frontenac-Addington	NDP	Minister of Government Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	

Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

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Vice-Chair: Mark Morrow

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Clerk: Lisa Freedman

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Vice-Chair: Ellen MacKinnon

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Clerk: Douglas Arnott

Ombudsman

Chair: Mark Morrow

Vice-Chair: Drummond White

Members: Alvin Curling, Joan M. Fawcett, D. James Henderson, Peter Kormos, George Mammoliti, Bill Murdoch, Margery Ward, Paul Wessinger, Jim Wilson, Elizabeth Witmer
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Co-Chair: Noel Duignan

Members: Dianne Cunningham, Remo Mancini, Kimble Sutherland
Clerk: Smirle Forsyth

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Legislative Assembly of Ontario

First Session, 35th Parliament

Official Report of Debates (Hansard)

Wednesday 15 May 1991

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le mercredi 15 mai 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 325-7400.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 15 May 1991

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

SELECT COMMITTEE ON ENERGY

Mrs Sullivan: For some time, the select committee on energy of the Ontario Legislature has added significantly to the dialogue on energy issues in the province.

Most recently, we have seen how intertwined energy issues are with environmental choices facing Ontario. The concept of sustainable development is directly related to energy options.

Over the last three years, the committee has reviewed the initial Ontario Hydro demand/supply planning documents and conducted public hearings which brought together for review by legislators the opinion and studies of experts, interested parties and those affected by alternatives to ensure electricity supply for the next 30 years.

In conjunction with other technical reviews, the select committee's report added to the final recommendations which have been placed by Ontario Hydro before the Environmental Assessment Board.

Most recently, the committee had started work on the greenhouse effect and Ontario's place in the reduction of greenhouse gases to meet national and international protocols. The committee met with international experts and engaged the Royal Society of Canada to conduct research on greenhouse gas emission reduction in the industrial sector, which has the potential of technical and economic feasibility.

More work remains to be done. I call on the government and this House to reconstitute the select committee on energy so that some of the pioneering and important work which has been done to date can continue.

LABOUR DISPUTE

Mr Villeneuve: The strike by French teachers in the Stormont Dundas and Glengarry County Roman Catholic Separate School Board has now continued for more than a month.

With only a few weeks left in the normal school year, many students and parents are worried, and rightly so. They want to know what will happen with the remainder of their school year, they want to know about the quality of education students will receive to complete this troublesome year and they deserve to know.

On 18 April when I questioned the Minister of Education, I was told that the Education Relations Commission had made no recommendation to end the strike. That was almost a month ago. Today some 1,500 students are still waiting. Those hoping to go to college or university are worried that they may not receive adequate instruction to allow them to cope in their new post-secondary schools.

The strike has become a social issue in Cornwall as well. These students cannot get summer jobs because

employers do not know when classes will resume. The students are either in the streets or in the malls.

Both sides are still determined, if not stubborn, in maintaining their positions. I know that parents may be reconsidering which schools they want to register their children in next year.

In light of all this, the Minister of Education must resolve this matter before it drags on into the summer. This is more than just a collective bargaining issue; it is a right to a good education by our students in eastern Ontario.

NATIVE ISSUES

Mr Winninger: Last weekend in London an indigenous peoples conference took place at King's College. It was attended by over 400 native and non-native people from across Canada and the United States.

The main recommendation to emerge from this conference was the formation of the Indigenous Peoples Support Network, which was given official status and will now grow quickly. The network includes groups representing churches, organized labour, women, students, peace workers, poor people and the environment. The network will serve as an information and educational clearinghouse.

The local native communities in the London area have enthusiastically welcomed the assistance of \$48.5 million offered in our budget. Chief Tom Bressette of the Kettle Point reserve said that our government is taking the initiative that should have been taken long ago by the federal government. This budget provides funding to improve living conditions in native communities, including potable water, sewers, housing and electricity. Money is also provided for child care on reserves, education initiatives and economic development programs. Funds are also allocated to self-government and resolution of land claims. Specific announcements were made last week.

The native community is eagerly awaiting these reforms. The third party will have to take full responsibility for delaying consideration of the budget and for delaying reforms natives have been waiting for so long and so patiently.

TOURISM INDUSTRY

Mr H. O'Neil: Monday 13 May marked the beginning of National Tourism Awareness Week. Across Canada, tourist operators are hosting special events to mark this week. Ontario has much to offer with its clean, safe cities, parks, lakes, diverse multicultural communities and an abundance of attractions.

While I am delighted to stand in this House to recognize this week, I am also distressed to note that the tourism industry in Ontario has suffered greatly. Not only are our tourist operators struggling through the toughest recession since the 1930s, they have also just recently suffered the shock of a provincial budget that will serve to reduce the competitiveness of their industry through tax hikes on gas, alcohol, cigarettes and small businesses.

The tourism industry has been the province's third-largest industry, accounting directly for approximately 160,000 full-time jobs. In 1989, direct expenditures in tourism accounted for close to \$11 billion.

Most tourist operators, as the members here know, are small, family-run businesses. They rely on the provincial government to market Ontario as an exciting tourist destination and to make it appealing to out-of-province visitors. They do not expect to be forgotten.

While the rest of Canada is celebrating National Tourism Awareness Week, I too would like to participate in the promotion of Ontario as an ideal tourist destination. We can only hope, though, that the Minister of Tourism and Recreation will give us a reason to celebrate and convince his cabinet colleagues to give tourism in Ontario the importance it deserves.

1340

BRIDGE IN MONO TOWNSHIP

Mr Tilson: I am here today to tell a tale involving the Ministry of Transportation in the township of Mono in my riding of Dufferin-Peel, a tale that is indicative of the free-spending spirit and lack of reasonable and responsible fiscal restraint that this government has become so famous for.

In this case, the township of Mono has requested funding for a one-lane bridge on an isolated road in the area of the Niagara Escarpment at a cost of \$148,000, a bridge that is appropriate for the surrounding serene, natural environment of Mono township and that the municipality contends will "adequately and safely handle the traffic volume likely to be experienced in that area for the next 50 years." But the ministry in its wisdom has decided to override the township's preference for a simple one-lane bridge. Instead they have provided funding for a two-lane bridge which will rival structures found on Highway 401.

The expected cost to build this monstrosity is \$350,000, of which \$300,000 will be spent by the township. This project will be the largest single capital expenditure in the township's 1991 budget. If the ministry had opted for a one-lane bridge, it would have saved the ratepayers of Mono and the province in excess of \$200,000.

In addition to this issue of irresponsible government spending, this tale of woe worsens. The decision to mar the unblemished face of the Niagara Escarpment by the affliction of an expensive and unnecessary structure is completely inconsistent with the NDP government's apparent genuine commitment to the environment.

The Niagara Escarpment Commission is faced daily with the challenge to predict the natural and cultural attributes of one of Canada's unique regions. The NEC must contend with many environmental offenders. It looks as though it can add the NDP government to its list.

Unfortunately, this story does not end at this bridge. The Mono township—

The Speaker: You have run out of time.

ROLAND HARDY

Mr Kormos: Good afternoon to you, Mr Speaker. You know—

Interjections.

Mr Kormos: It has been a long time, has it not?

Mr Speaker, you know this is a municipal election year and down where I come from in Welland-Thorold, the heart of the Niagara Peninsula, candidates are coming out and announcing their interest in running for mayor, city councillor and regional councillor.

We were all surprised to find out that Roland Hardy, long-time mayor and politician in the city of Welland, is retiring from public life. The city is going to miss his leadership and his expertise, but perhaps he is going to have more time to spend with his five kids, his eight grandchildren and his five great-grandchildren. Roland Hardy's wife, Vivianne, comes from a family of 13 kids from Saskatchewan, the Beuparants. The Beuparant family have been as strong NDP and CCF supporters as any family.

The mayor may not have shared that same partisan affiliation, but none the less he has dedicated 30 years of his life to leadership and contribution to the community. He has made a significant contribution to the positioning and the role of the francophone community in Welland, part of our city, a faction in our city of which everyone is very proud.

We should all be pleased that Roland Hardy is able to enjoy the pleasure of retirement but at the same time feel some sadness as he leaves behind him a distinguished career and many contributions to his community. We thank him, Mr Speaker, and I know you join with me in that regard.

OPP CUTBACKS

Mr Bradley: This is Police Week in Ontario and the Ministry of the Solicitor General has put out a glossy pamphlet about this with a number of items inside.

I can remember in English class learning about something called an anachronism. There is a wonderful poster of Ontario here and it well reflects the composition of the people of the province and shows police officers in a number of different activities. However, there is an anachronism in it. I see here a police officer on a motorcycle and this police officer is wearing a golden helmet.

As the people of this province know by now, this government has cut the funding for the OPP Golden Helmets precision team, much to the chagrin of the traditionalists and people who value that tradition and much to the chagrin of those involved in the tourism field who recognize that the team is a real attraction that brings people from around the world to this province.

In addition to this, there is a Police Week song that has been put out by the Ministry of the Solicitor General. Unfortunately, to accompany this song we will not have the OPP Pipes and Drums, a tradition which has been so important to so many communities and of course to the officers who serve it so well.

I think this material should be withdrawn and corrected or that we have the appropriate funding restored to both of those traditions.

NATIVE HUNTING AND FISHING

Mr McLean: My statement is for the Minister of Natural Resources and it concerns his political interference in the judicial process. Section 2 of the minister's interim enforcement policy states:

"Where status Indian people are hunting in an unsafe manner, or taking amounts of wildlife or fish which put conservation objectives at risk, or possessing amounts of wildlife or fish in excess of what may be reasonably required for personal or community consumptive needs, or are hunting or fishing on private or occupied land without permission, such persons should be charged."

The minister knows that members of the Cape Croker band caught 13,500 pounds of fish from Georgian Bay out of season and above the band's quota. His ministry's \$150,000 investigation began in September 1989 because Ministry of Natural Resources officials were puzzled over the decline in the splake population in Georgian Bay. It was determined that the band illegally caught and sold the fish.

The minister's decision to quash charges smacks of political interference in the judicial process. It is a direct contravention of his own interim enforcement policy which clearly states that such persons should be charged. The minister's decision to quash charges is a mockery of resource management and is counterproductive to resolving the legitimate rights of Ontario's native community.

NATIONAL ACCESS AWARENESS WEEK

Mrs MacKinnon: Now in its fourth year, National Access Awareness Week will take place from Sunday 26 May to Saturday 1 June.

National Access Awareness Week was conceived by Rick Hansen. It is a grass-roots initiative to encourage and enlist support of all sectors of society in identifying barriers to the full integration of persons with disabilities into the social and economic life of our community and to formulate and implement plans for the removal of those barriers.

Focusing its efforts on five theme areas including transportation, education, housing, employment and recreation, National Access Awareness Week is a time for communities across Canada to assess the accessibility of services and facilities, to set goals by which progress can be measured over several years, to make practical improvements, and to celebrate what has already been achieved by persons with disabilities and other interested individuals.

1350

STATEMENTS BY THE MINISTRY

AUTOMOBILE INSURANCE

Hon Mr Charlton: I want to take this opportunity to report on my ministry's progress in preparing legislation to establish a system of driver-owned automobile insurance in Ontario.

Members will be aware that since assuming my portfolio on 18 March, I have devoted much time to working with the automobile insurance review group established on 1 February of this year. In this time, we have consulted

with more than 45 organizations or individuals involved with the insurance industry and those concerned with the consequences of traffic accidents. Of necessity, many of those consultations were a duplication of more than 100 conducted by my predecessor.

It is appropriate, I believe, for me to express my appreciation and publicly thank all who have participated in these meetings. I particularly want to thank those who have invested much time and energy in preparing detailed and useful presentations. Many of these presentations have been invaluable in helping our government prepare plans necessary to undertake the reform we envisage.

Our province has some six million drivers and approximately seven million registered vehicles. More than 150 companies and 20,000 people are involved in providing insurance to drivers. We want to develop the most comprehensive and integrated system of auto insurance in North America. It will be a system unique to Ontario.

We believe the reform package we bring in should have major initiatives to improve highway safety, reduce traffic accidents and improve driver training. We have begun working with the Ministry of Transportation to accomplish these objectives. We are also exploring the possibility of offering drivers one-stop shopping for their insurance, vehicle registration and licensing.

This project is one of enormous complexity and requires research, analysis and detailed preparation. It is my intention to ensure that this work is carried out with care and with diligence. With that in mind, I have recommended to my cabinet colleagues, and they have concurred, that more time should be taken to prepare the draft legislation. It is my intention, therefore, to bring in legislation in the fall of this year.

LAND USE PLANNING

Hon Mr Cooke: I want to advise the House about some important new measures this government is taking to foster responsible land use planning in Grey county.

Yesterday my colleague the Minister of the Environment and I met with Warden Milliner and members of county council to discuss land use planning practices in Grey county. The discussion revolved around what the county and the province can do together to protect the environment, encourage better long-range land use planning, and facilitate full public participation in development decisions.

The Ministry of the Environment, through the Ontario Environmental Assessment Advisory Committee, and the Ministry of Municipal Affairs began studying land use planning practices in Grey county in 1989 after residents expressed concerns about growing development in the area. The concerns focus on two important issues: the proliferation of land severances granted without adequate opportunity for public comment, and the potential environmental harm that inappropriate development could bring to Grey county. Our studies, conducted independently, both concluded there are serious problems with land use planning practices in Grey county.

Land severance approvals in Grey county increased dramatically, by some 650%, between 1986 and 1989,

despite the fact that they often did not conform to the county's official plan. In addition, land severances were often approved over the objections of several review agencies such as health units and the ministries of Agriculture and Food and Natural Resources.

Good land use planning practices are essential if we are to protect our communities. For that reason, we have asked the warden and councillors of Grey county to take this opportunity to manage growth in a responsible and sensitive way.

To this end, we have asked them to immediately begin restricting the number of severance applications they approve until they prepare a new, comprehensive and environmentally sensitive official plan. We have asked that this new official plan, which will replace the one developed more than 10 years ago for slow-growth rural areas, be in place by September 1993.

In the interim, my ministry will review all applications that are granted to ensure that they conform to approved official plan policies and that they receive the full support of all review agencies. Moreover, no subdivisions will be approved which have the potential to negatively affect the environment or jeopardize the outcome of the new official plan.

To ensure that the new plan reflects our priorities—that is, responsible growth management that preserves and protects the environment—a steering committee will be formed with county council representatives and members of the public, to be jointly chaired by municipal and provincial representatives.

We consider good planning that ensures the maintenance and enhancement of environmental quality to be essential to the future of both Grey county and Ontario. We believe the measures we have announced are both necessary and timely. We are confident that, working with officials in Grey county, we will achieve our mutual goal of healthy, planned growth.

RESPONSES

LAND USE PLANNING

Mrs Caplan: With this announcement, the Minister of Municipal Affairs has moved unilaterally, without consultation or warning, to end an important local planning decision in Grey county. Everyone knows that there have been problems in Grey county. In fact, it was the Liberal government that announced a review of severance and zoning bylaws in Grey and prepared an environmental assessment advisory committee report as well.

At the same time, we believe that the NDP's only solution has been to have the province take over responsibility for local planning decisions in Grey county rather than working with the municipalities in developing comprehensive land use planning reform, which in fact was promised during the election.

I have grave concerns about the approach, although I must say that we all want to have better planning with greater environmental sensitivity across the province. The motivation is sound, but the approach, as in most of the responses we have seen from this minister, has been heavy-handed and intrusive, and is taking away from the

local municipalities the opportunity for partnership. They do not know what partnership means. They do not know how to do it. They want to bring everything to Toronto and make all the decisions, and that is not in the interest of local electors.

AUTOMOBILE INSURANCE

Mr Chiarelli: With respect to the Minister of Financial Institutions, this is the first time in the eight months since this cabinet has been sworn in that a Minister of Financial Institutions has either made a statement or introduced a bill. The ministry has been totally consumed with the ideological issue of government-run automobile insurance. In the meantime, nothing is done on pensions, nothing is done with the securities commission, nothing is done to protect financial consumers in this province.

What is the first statement after eight months? It is another broken promise. On 18 March, less than 60 days ago, the Premier stood in this House and said, "We certainly intend to introduce legislation in the spring session." Now the minister stands in his place and says that it will be in the fall. It is another broken promise and more confusion for the public in Ontario.

The Ontario motorist protection plan is working. The reason they cannot draft legislation at the present time is that all the people they are consulting with are telling them that in fact the OMPP is working. All the research that has been done by my office and by other offices and by the industry has indicated that rates are maintaining the levels that have been set, are following the guidelines at an average of 0% outside the greater Metropolitan Toronto area and at an average of 8% within Metropolitan Toronto. The driver is being well served by the OMPP. All consumer reports and reports from brokers indicate that the OMPP is in fact working.

Today the minister talks about consultation. He knows full well the statements that were made several days ago by the Insurance Bureau of Canada, that his caucus refused to meet with the employers of 40,000 people in Ontario on the same day they were meeting with a citizen of the United States, Ralph Nader, who has no obligation to one citizen of this province. Shame on this government for not consulting with the industry. They claim to protect the drivers and they claim to bring in a system that will be economical for the drivers, and only last week they introduced what amounts to a premium increase by taxing premiums by 3%—and they claim to be on the side of the driver.

Let's see if, when the minister introduces that legislation, his program reduces rates. His Treasurer said in an interview in Sudbury three weeks ago that the only reason for bringing in government-run automobile insurance is if it will lower premiums. The challenge is on the minister's desk. He is going to have to justify this eight-month delay and the tremendous uncertainty he is generating for 40,000 employees in this province.

There are a lot of small business people out there, proprietors in the insurance brokerage industry, who can do no financial planning, no estate planning. The equity of their businesses has been totally eroded by the uncertainty,

and the uncertainty is continuing because of the added delay that this government is bringing in at this time. This government has once again shown total incompetence in administration of government.

1400

Mr Runciman: I am responding to the Minister of Financial Institutions on this announcement as well. We disagree. We are not supportive of the announcement he is making, but for totally different reasons than the Liberal Party of Ontario.

Our party cares and is on record about caring for innocent accident victims in this province. We continue to care day after day, unlike the government, unlike the NDP, the socialist slugs over there who professed to care about innocent accident victims a little over a year ago, who conducted a 17-hour filibuster in this House, apparently caring at that time about innocent accident victims. Now we are talking about more than a year after their election as the government of Ontario and they still do not know what they are doing.

This government reminds me of the old story of the dog chasing after the car. When the car stopped, the dog did not know what the devil to do. That is the same with this government. They had no expectation of assuming office and, once they did, they had no real idea of where they were going. Auto insurance is just one indication of that.

My major concern in respect to this is its impact on innocent accident victims in this province. We are talking about hundreds of people on a weekly basis, thousands on a monthly basis; thousands of innocent accident victims, people who appeared before us, testifying before the member for Welland-Thorold, who sat there, before the current Treasurer of the province, who expressed concern at length. But now, when they have an opportunity to take decisive action to restore the rights that were taken away by the former Liberal government, they are not moving on it, they are not doing anything. They continue to delay, delay, delay. There is no real justification for it.

I introduced legislation last December which was supported by the majority of socialist members across the floor. But when they have an opportunity—I am talking about interim legislation that would address that concern, not the other concerns of the current government, but the major concern, as expressed by the current Minister of Financial Institutions.

During that debate the minister said the major problem with the Liberal legislation is the fact that innocent accident victims are not protected the way they should be because they have lost the right of access to the courts. Now he has assumed office like his predecessor, who spoke on this so strongly a year ago and then delayed and delayed, he is doing much the same thing, talking about delaying this until the fall, to some future date.

I do not know how in good conscience the minister and his colleagues in that party can stand in this House today and say they are going to continue to delay that, while people are being injured on the highways every day, every minute in this province. The minister is not addressing

innocent accident victims, he is not restoring their rights, he is not keeping the promise he made one year ago and beyond that.

LAND USE PLANNING

Mr B. Murdoch: I would like to address the Minister of Municipal Affairs. This statement that he has produced here today is nothing but a bunch of lies and mistruths. I challenge the minister to prove that these things he says in here are true. I challenge him.

Interjections.

The Speaker: Would the member for Grey come to order, please. A certain level of excitement causes us to be distracted. I realize that and I realize the concerns of the member. I would appreciate it if he would withdraw his remark.

Mr B. Murdoch: I cannot withdraw my remarks, sir. They are not true, right in here. He has stated in here—

The Speaker: Would the member take his seat for a moment.

Interjections.

The Speaker: I would appreciate members' attention for a moment, please.

Interjection.

The Speaker: I am not a betting person.

To the member for Grey, the question for the Chair—

Interjections.

The Speaker: I would very much appreciate it if the Speaker could be given an opportunity to chat for a moment with the member for Grey. The question for the Chair is not one of the veracity of any statement made, but rather the dignity of the House. It is in that regard that I would ask the member if he would reconsider what he has said and would withdraw his remarks.

Mr B. Murdoch: I am sorry. I cannot rescind what I said because it is the dignity of the people over there that I am worried about. They have no dignity over there. When they put mistruths in statements, then I will not retract.

The Speaker: If the member for Grey, upon reflection, is not able to withdraw his remarks, then the member for Grey leaves no recourse for the Chair except to name him. I ask the member one more time if he would consider his course of action and if he would simply withdraw the offending remarks, which offend the practice of the House and have nothing to do with what is true or not true.

Mr B. Murdoch: Maybe you could explain to me what the offending remarks were. I have not said anything offending. All I have spoken is the truth here. I have said the truth, and in here is what is wrong. I have nothing else to say other than I challenge the minister to prove what he said in here, and maybe he had better try something different.

Interjections.

The Speaker: To the member for Grey, unfortunately there were some extraneous sounds. I did not hear clearly what he said. Did the member say, "I withdraw the remarks"?

Mr B. Murdoch: No.

The Speaker: You leave the Chair no alternative. I must name the member for Grey. Would the member withdraw from the chamber for the remainder of the day.

Sergeant, would you escort the member from the chamber, please.

Mr B. Murdoch left the chamber.

Mr Nixon: On a point of order, Mr Speaker: Ron Lipsett is in the gallery. Perhaps it would be appropriate if he took the seat that has been vacated.

The Speaker: An interesting suggestion. There appears to be a vacancy at this moment.

1410

LEGISLATIVE RESEARCH SERVICE

Mr Chiarelli: Mr Speaker, I am rising on a question of privilege. I would ask your indulgence. It will probably take four or five minutes to get through it, but it is a very serious matter that I think impacts on every member of the Legislature. It has to do with the question of the legislative research service and the confidentiality of that operation, which is under your authority as Speaker as you have the responsibility for the legislative library.

First of all, I want to read standing order 21 with respect to a question of privilege: "Privileges are the rights enjoyed by the House collectively and by the members of the House individually conferred by the Legislative Assembly Act and other statutes, or by practice, precedent, usage and custom." It goes on to say, "Whenever a matter of privilege arises, it shall be taken into consideration immediately."

Also, standing order 140 states as follows:

"The management of the legislative library, including the regulation of admission, hours of operation, maintenance of a catalogue of books, and security and preservation of the collection, is the responsibility of the executive director of the legislative library, subject to such orders as the executive director may receive from time to time from the Speaker or the House."

What I want to refer to is a research request that I made in November and for which I received a written response from the legislative research service. I want to quote very briefly from that and I will give you a copy of this document with the name of the research officer deleted.

It states, "It appears that the ministry"—and they are referring to the Ministry of Financial Institutions—"has a new policy under which requests for information are discussed with the minister's office." That occurred, as I say, in November; this document is dated last November.

Last week I requested some research relating to the Ministry of Health and my office was notified yesterday that it would be probably longer than expected because of the new policy—and this was told verbally over the phone—requiring some kind of clearance of these requests through the minister's office or through the deputy minister.

Mr Speaker, as you are aware, the legislative library research service is required to be confidential, and I want to refer to some information on that particular point. First of all, in the information which your office provides to members, it states very clearly: "Every request is treated

with confidentiality, impartiality and objectivity. All work is prepared to your deadlines."

Even the question of this new process, if in fact it is there, requires additional time and is an imposition on all members from all sides of this House in obtaining their proper research. But the key issue is the issue of confidentiality. In addition, there is another document which is put out under your auspices as Speaker which indicates, "All work performed by the legislative research service is strictly confidential."

I also want to refer to some expert opinion on this from Graham White, who wrote on the Ontario Legislature, saying: "Of greatest significance to backbench MPPs is the library's research staff. Their independence from internal party intrigue renders them particularly valuable to ordinary members." He goes on to say: "Library research services are distinct from caucus research in that they are provided on a non-partisan basis. They are academically, rather than politically, oriented," and, "The Speaker may call upon any ministry or agency of the crown to provide any service or commodity for or on behalf of the assembly that the Speaker considers necessary."

I think this is a very serious matter which affects every member of this Legislature, as I say, including those members who sit on the government side. In fact, in the telephone conversation to my office, it was indicated that a number of ministries have adopted this particular policy of requiring some kind of clearance through the deputy minister's office or through the minister's office, and that includes the Ministry of Financial Institutions, the Ministry of Health—by which the response was given to me yesterday on my particular research request—the Ministry of Agriculture and Food and the Ministry of Revenue.

I am reciting the facts as I have received them and as my office has received them. I am not making any allegations. In fact, I believe the research office in the legislative library is triple A excellent. They provide good service. But if in fact the legislative library and the research people, as they work under your direction, under your responsibility, Mr Speaker, have received any new policy—and those are the words that were used, and I will give you a copy of this, by the research person from the library—I believe this raises serious questions about the independence of the research staff and about the privileges of the members of the House, who do that research in confidence on behalf of their constituents and on behalf of a whole range of issues.

It is particularly important that if the minister's office becomes aware of research that an opposition member is conducting, it will be tipped off in terms of possible questions, possible issues, possible committee work, and I think it is of the gravest importance.

I would ask you to please report back to this House and set guidelines, and I would also ask you to report whether there is any basis to the statement that is made in this report that indicates a new policy was imposed some time immediately before November.

Mr Speaker, I would ask you to report at the earliest possible date as this infringes on the privileges of members.

Hon Miss Martel: On the same point of order, Mr Speaker: On behalf of the government, I would more than

encourage you to do the same thing, and I can point out to all the members of the House that I do not think this is a new process.

When I was in opposition last year, I requested information from the former Minister of Northern Development. At that point in time, the information I requested was checked not only by the deputy minister but by the executive assistant to the minister himself. You can certainly take a good look at this, and I encourage you to do so.

Interjections.

The Speaker: One at a time would be helpful.

Mr Elston: On the point of order, Mr Speaker: The issue which the individual has raised is obviously a question that she has put to the deputy minister's office. It is just a bit different from what has been raised here. The instrument used here for research purposes is the Legislative Assembly, and it seems to be a clear difference from what has been expressed by the member for Sudbury East, who has had her point of view put in other ways in other days. In this case, I think the privilege which has been raised is a valid one. We ask only that you examine it and report. I do not think it is fair that she be allowed to join some kind of political search and destroy, as it were.

The Speaker: To the member for Ottawa West, I appreciate the information you have brought to my attention.

Interjections.

The Speaker: I would appreciate it if a number of members, including the government House leader, would contain themselves.

Interjections.

The Speaker: I say to the member for Ottawa West, obviously impartiality and confidentiality are two keystones to our library service. I will certainly take a look at the concerns you have brought to my attention and will report back to you as soon as I can.

1420

MINISTERIAL STATEMENTS

Ms Poole: On a point of personal privilege, Mr Speaker: I feel that the rights of members of this assembly are being undermined. The tradition as well as the precedent in this House has been that an announcement is made in the Legislative Assembly when the ministry announces a new policy, when it spends significant money on a special program or when it releases a report. In fact, as you are well aware, we have a special time in the House when we can have statements from ministers and responses from the opposition. Yet we now have as a regular occurrence the Minister of Housing choosing to make announcements by way of press release rather than the appropriate way, which is to bring it to the attention of members of this Legislative Assembly.

In the past six months, other than the Minister of Housing's announcement relating to the introduction of Bill 4, he has made only one announcement in this House, and that on home sharing. On the other hand, he has had press releases on a \$35-million housing package to boost employment, the low-rise rehabilitation program, a pilot

project regarding rooming houses, the rent control consultation and anti-recession funding.

The two latest examples occurred on 18 April and 14 May. On 18 April, the minister issued a press release announcing he was changing the eligibility of refugee claimants for subsidized housing, and yet there was no announcement in this House. Then yesterday, 14 May, the minister released the ministry's report on the results of the rent control consultation, again through a press release and not through this Legislative Assembly.

I am an opposition Housing critic, and I and the Conservative Housing critic are put at a severe disadvantage. Furthermore, I say that members of this House are entitled to share in this information. We should not have to wait a week to 10 days to get this press release through the Ministry of Housing in a plain brown envelope, if we get it at all. Is the reason that the minister is afraid to face opposition responses in the House? Is it because he wishes to hide things, such as the fact that the minister had the permanent rent control legislation in its second draft 10 full days before the consultation period ended?

Mr Speaker, I bring this matter to your attention today and I ask that you deal with it and prevent it from recurring.

The Speaker: To the member for Eglinton, while I appreciate her concerns, she will be disappointed to know that it is neither a point of privilege nor a point of order. The matter she brings to my attention is one which is a courtesy and is not covered by our standing orders.

ORAL QUESTIONS

TAX INCREASES

Mr Nixon: I have a question I would like to put to the Treasurer having to do with the gas guzzler tax. With the many problems he is facing with this difficult budget, this perhaps is the most immediate one since it affects the auto manufacturing industry in Ontario, which is being hit by substantial reductions in sales and by layoffs commensurate with those reductions.

Since the Treasurer inherited a tax, which I think he voted against originally, that covered only a minimum number of cars, and by coincidence many of them manufactured offshore, and he has extended this tax so that it covers over 200 models, including many that are used by commuters and others, is he now aware of the difficulties that particular initiative is having in the manufacturing community and with those people who are contemplating the purchase of new cars, and is he giving any further consideration to rolling back that particular announcement, at least to the levels that they were before he adjusted them?

Hon Mr Laughren: I am aware, of course, of the concerns being expressed by both the organized workforce, represented by the Canadian Auto Workers, and by the industry on the tax. I hasten to add I will be meeting with them tomorrow to discuss an alternative proposal that I understand they will be making to me, which I will be interested in hearing.

I would point out to the Leader of the Opposition, though, that less than 1% of the vehicles produced in

Ontario are affected by the gas guzzler tax. As well, less than 3% of the vehicles produced in any one plant are affected by the gas guzzler tax, so I still need to be persuaded, quite frankly, that there is going to be anything other than a minimal impact on employment levels in the province.

Mr Nixon: I understand from news reports that Bob White of the Canadian Auto Workers, the president of Ford and other representatives of the manufacturing side have gained an audience with the Treasurer on rather short notice. In fact, I understand they are both going to be there tomorrow and that the manufacturers' association is going to be able to appear before the Progressive Conservative budget review, so there is going to be a lot of interest in this matter.

Will the Treasurer indicate his view on one of the stated alternatives, that is, that the government enter into funding of a joint program with the manufacturers that is designed to remove the old cars, the gas guzzlers more than eight years old which do not have the catalytic converters reducing the emissions, from the roads? Is that his contemplation, or will he give some consideration to removing this tax which is obviously not in the best interests of the workers or the finances of Ontario?

Hon Mr Laughren: I think the proposal that the leader of the official opposition talks about is an interesting one. However, there are certain pitfalls in that proposal too and before making any final pronouncement on it—I do not want to foreclose it, but one of the problems with it is that very often people who are of low or at least modest income who drive an older car, when they trade in their car they do not trade on a brand-new one; they trade in on a newer used car. I am concerned that this kind of proposal would discriminate in favour of people of higher income, who would be in a position to buy a new car. As well, I am concerned that it is a proposal that simply would provide a financial incentive for people who might be trading in their car anyway, regardless of any kind of incentive.

Mr Nixon: I would just like to thank the Treasurer for his useful response. I wonder if he is aware that people on all sides of this House hope he will give the sort of consideration that I believe his experience and stature, if I may refer to that, would warrant in at least contemplating the rolling back of this tax, which I think would be seen by the Treasurer and his colleagues and certainly on this side as a judgement that is based on probably inadequate information that was provided to him. Would he not consider a rollback? Obviously he would want to talk to his friends in the CAW and the representatives of automotive manufacturing tomorrow, but would he not consider that at least this is one change in his budget which would be a sensible one and well received by many thoughtful people in the community?

Hon Mr Laughren: I appreciate the question, but I do not want to indicate to the leader of the official opposition that I am inclined to do what he suggests. I do want to talk to people about it.

I would remind the leader of the official opposition that this is a tax that very closely parallels the gas guzzler tax

in the United States. There are some differences, and we have gone down a little lower in the threshold of fuel consumption than they have in the United States. At the same time, the maximum in the United States is higher than it is in Ontario, so I think there are some problems with that proposal.

In conclusion, we do want to send a strong signal out there that environmental protection and energy conservation remain very high priorities with this government.

Mr Nixon: I have another question, but I hope in the consideration of the Treasurer he realizes that the environmental considerations would really remove the old cars from the road. He is nodding, and I appreciate that. Actually, I own a couple of them, and if there is a couple of thousand bucks in it, I would like to know.

1430

YOUTH EMPLOYMENT

Mr Nixon: I have a question for the Minister of Education, which has to do with youth unemployment. The statistics associated with youth unemployment are becoming a matter of severe concern. The minister would be aware that the unemployment rate for people in that category is 15% and rising rapidly, with 215,000 fewer employed youth since the NDP government took office.

In this connection, can the minister explain to the House why she was not able to get additional significant funding for the Futures program and related programs that are designed to give young people an employment opportunity, short-term or otherwise, accompanied by some opportunity for training and retraining, which are so obviously essential components of any modern program?

Hon Mrs Boyd: We were able to continue our commitment to that program. We quite agree. I think the government would say that we have not been able to put as many resources into that specific area as we might have liked. That is true of many of the programs that we have tried to bring forward, because of the fiscal situation.

We are doing what we can in that area and do see some crossover in that group of people in terms of the kinds of initiatives that we will be taking with respect to the other programs of work and employment. They are certainly a targeted group. We are extremely concerned about the lack of opportunity and the lack of motivation that sometimes makes for young people. We will be coming forward over the year with initiatives within communities that encourage young people to look at retraining and to look at remaining in school as an alternative to the kind of unemployment they are facing.

Mr Nixon: The minister would now be aware that fully one third of our youth are high school dropouts at some stage and that one of the startling figures, I believe, in statistics generally available is that 15% of those people are functionally illiterate. The honourable minister's colleague the Minister of Community and Social Services is probably aware of the pressure on our social programs that comes from people who enter the workforce with little or no ability or skills, particularly if they are functionally illiterate.

I appreciate the minister's response in her statement of concern, but since the budget of the province has increased this year by 13.4% and many people who are footing that bill, or at least looking to the responsibility to foot it in the future when the deficit becomes payable, are wondering what the priorities are, would the minister not feel that in her position she should continue to attempt to have a priority based on improving these training and retraining programs which have only grown this year at 2% rather than the average 13.4%? Why has she failed in this particular?

Hon Mrs Boyd: While it is true that in the particular programs controlled by my ministry that the member is referring to that is indeed the increase we were able to achieve, there are other programs which in fact have substantial new dollars added to them, some in the Ministry of Community and Social Services, which will deal with exactly the problems that the Leader of the Opposition has suggested. I would say very clearly that we need to look at the overall programming in this area in order to see that we have a strategic scheme that is designed to try and deal with this over the broader spectrum rather than to deal with programs only in specific areas.

The illiteracy concern is definitely one that is very much a concern of mine. Certainly our ministry will continue to press for additional support, both from our own government over the coming years and from the federal government.

Mr Nixon: I just want to ask the minister if she is aware, and I am sure she must be, that a program that was brought forward under the initiative of the previous government, called Futures, is one that should be brought to her immediate attention. I am noticing in the estimates that there is funding for only 1,500 young people in this regard. It is to give them employment and ancillary, additional education, well-designed.

If the minister would care to rework it and rename it, there is no problem with that, of course. I just hope she will not dismiss it, as it appears she has, because of the substantial underfunding. I compare that number of 1,500 people helped with the number of 215,000 young people who are unemployed since her government took office last October.

Is the minister aware of that program? Is she satisfied that only 1,500 people are being dealt with? If not, is there some reallocation of funds, either in her ministry or one of the ancillary ministries, that can be brought into play? Because this problem of youth unemployment is emerging as one of the most serious ones.

Hon Mrs Boyd: Of course I am aware of the program. This government took action very early in our term to supplement the funds that were available to that program, because in fact when we took office there was a very substantial underfunding of this program. We did what we could. However, we saw that as a move in a longer-term plan to try and work through the system, through the Ministry of Skills Development, through the Ministry of Community and Social Services, through the labour adjustment fund, to try and have a much more comprehensive plan.

Indeed, the Leader of the Opposition is quite right. I am disappointed in the numbers we are projecting that we can serve with the amount we have been able to allocate. I can assure him that our commitment will be to find as many ways as we can to supplement that number and indeed to supplement the kind of assistance we can give to young people.

TAX INCREASES

Mr Harris: My question is to the Treasurer. So far this week we have had both the Minister of Industry, Trade and Technology and the Premier tell us that they do not believe the gas guzzler tax will have any impact on jobs. I believe the Treasurer's tax is a job guzzler tax. Bob White, the backroom Premier and head of the Canadian Auto Workers, believes it is a job guzzler tax. Ken Harrigan, the chairman of the Motor Vehicle Manufacturers' Association, believes it is a job guzzler tax. In fact, he says this tax, coupled with a 3.4-cent-a-litre gas tax, is nothing other than "kicking the auto industry while it's down." Will the Treasurer finally admit what everybody in the auto industry is saying, that his gas guzzler tax is destroying jobs and should be scrapped?

Hon Mr Laughren: I am sure the leader of the third party heard my response to the leader of the official opposition—at least I hope he did—because I am not convinced, quite frankly, that the gas guzzler tax will have the impact on employment or the sale of vehicles that others do. However, one reason I want to meet with both the CAW and industry representatives tomorrow is to make sure that I do have all the facts straight.

When this matter became somewhat of an issue in the province, I did go back to the officials and asked them to recheck the figures to make sure that we had not made a mistake, because it is possible to make an error in assessing the impact of any tax change. I know that when the numbers came back to me there was no change in what the impact on jobs or production would be, so I would have to be convinced that it is much more serious than I presently think it is.

Mr Harris: I did hear the Treasurer's response to the leader of the Liberal Party. I am not asking him to give out free cars or free fridges or anything; I am just saying scrap the tax.

Clearly there is a tax revolt going on in this province. The taxpayers are furious. Today commuters on their way into work—and it appears as though for the rest of the day and perhaps when they are attempting to try to get home—are finding out just how mad the truckers are about the Treasurer's budget. The gas tax has dealt what is perhaps the final blow to an industry that was already reeling. Trucking companies are closing daily and hundreds of truckers are out of work because the Treasurer's budget has made the cost of doing business in Ontario too high for them to compete.

Other than pointing the finger at other levels of government, which I admit have some responsibility, what solutions—

Interjections.

Mr Harris: Listen, once I clean up the province, take it over and get it in shape, maybe I will try the country. Right now, it is the province.

The Speaker: And the supplementary?

Mr Harris: Other than pointing the finger at other levels of government, what solutions does the Treasurer have to ease the Ontario portion of taxes that are contributing to truckers losing their jobs in this province?

1440

Hon Mr Laughren: I will take seriously the admonition of the leader of the third party not to blame the federal government's policies of free trade, deregulation and a high Canadian dollar for the woes of the trucking industry.

I would remind the leader of the third party that the Minister of Transportation in Ontario took a very major step and acknowledged in a very serious way, by putting a moratorium on the issuance of new licences, that we do recognize the problems in the trucking industry and we know they are serious. That is why we have taken some action. We have taken that action, we have increased surveillance, we have increased fines.

I would simply—and I mean this only in a rhetorical sense—ask the leader of the third party, not that I expect him to answer, what in the world has the federal government done to help the trucking industry?

Mr Harris: I do not know what they have done to help but I know the Treasurer was in a position to help and he was in a position to hurt. He took the option of hurting by increasing the gasoline tax and putting a death knell into the trucking industry. Today it is the truckers and the auto workers. Tomorrow a group of angry taxpayers is coming to Queen's Park at noon, we hear, to tell the Treasurer just what they think of being saddled with a \$35-billion bill.

The Treasurer has caused a tax revolt in this province by completely ignoring the taxpayers and giving us a budget that is 180 degrees in the wrong direction. His budget is costing taxpayers in more ways than one. He is not saving jobs; he is destroying jobs. The government promised that when it made a mistake it would admit it. Will the Treasurer admit now that he has made a mistake?

Hon Mr Laughren: Not only will I not admit that I made a mistake; I would put to members that the budget which the leader of the third party continues to malign, for reasons I do not understand, is a budget that raised some taxes but did not touch the personal income tax, did not raise the corporate income tax, did not raise the retail sales tax and did not impose the retail sales tax on the GST. At the same time, we decided that the severity of the recession in Ontario this year should be our number one priority and we decided that rather than gut the programs in health and education and social services, which that party would like to see us do, we would fight the recession this year.

Mr Harris: I do not know. The Treasurer seems to think throwing people out of work is helping the recession. I disagree.

Interjection.

Mr Harris: Some day they will let the member on the list. He should not worry.

My second question is to the Treasurer. This morning I chaired the first session of the task force on his budget direction. Unfortunately, his chair was empty, much like his commitment to create new jobs in this province. I would like to share a few of the comments that I heard.

Kevin O'Leary, president of SoftKey Software Products, began his company in his own basement in 1983. He built it up to a business that employs 200 across the country. Last week he was forced to pull some of the jobs that he was creating out of Ontario. Mr O'Leary said, "I don't think Bob Rae is going to be happy until we're all on welfare."

What does the Treasurer have to say to Mr O'Leary and all other small business people who believe that his budget is forcing their businesses and their jobs out of this province?

Hon Mr Laughren: I just want to emphasize to the leader of the third party that the Premier and this government will not be satisfied until everybody who is on welfare in this province has a job. That is our goal, not what he seems to think it is.

Interjections.

The Speaker: There is certainly a high level of excitement. Some modicum of verbal restraint would be in order. Perhaps we could hear the response from the Treasurer.

Mr Turnbull: We want fiscal restraint.

The Speaker: The member for York Mills, calm.

Hon Mr Laughren: I will try to be non-provocative, Mr Speaker.

I assume that the Conservative Party in Ontario is not going to go the way the Conservative Party in Alberta did and divorce itself from the federal Tories. Keeping that in mind, I assume then that the leader of the third party has also talked to Ottawa about its decision to cut \$100 million out of the Canadian job strategy. That is certainly not very helpful to anybody in this country.

Mr Harris: I am too busy here in Ontario. I have my hands full; I can tell the Treasurer that. The Treasurer says his goal is to have everybody off welfare. Obviously my goal is very similar. I just do not see why he wants to throw them all out of work first.

This morning the task force heard from Lawrence Tapp, president of the Lawson Mardon Group. It employs more than 7,500 people. Mr Tapp said: "I find fault with the fact that the government could not find any areas worth cutting. It most certainly has failed to confront the need for spending priorities."

I was pleased to read in a number of this morning's papers that the Treasurer had seen the light and that he now realizes that cutting government spending might be a good idea, but only as a last resort. I think that is a big move for him.

Why does the Treasurer insist on pushing Ontario to the wall? Why does he insist on throwing us out of work

before controlling spending? I would like him to explain to Mr Tapp and to others like him who want to do business in this province today why he ignored any spending cuts and any sign of any form of restraint in this budget.

Hon Mr Laughren: First of all, the leader of the third party is factually incorrect. We went through a process of reducing, reallocating and cutting over \$700 million worth of program expenditures for 1991-92.

Second, the leader of the third party does not seem to be able to acknowledge the fact that by fighting the recession this year, we have maintained, saved and created over 70,000 jobs this fiscal year.

Interjections.

The Speaker: Of course no one would try to be provocative either in the questions asked or the responses given, but at the same time it is a little difficult for the Chair to hear exactly what is being said.

Hon Mr Laughren: I will conclude quickly. I just want to say that the leader of the third party cannot stand up one minute and call for expenditures to create jobs in this province, and the next minute stand up and complain about expenditures. I wish he would get his lines straight.

Mr Hayes: On a point of privilege, Mr Speaker: I have spent 27 years in the auto industry and working very hard for the people in there to get decent health and safety—

Interjections.

Mr Hayes: I am going to make a point here.

Interjections.

The Speaker: We will take a 10-minute recess. The House recessed at 1451.

1501

The Speaker: The leader of the third party had a supplementary. The Treasurer has just returned.

Mr Harris: As the Treasurer is wending his way back to this much calmer Legislature I would, by way of final supplementary, say this to him. The people who spoke with us this morning say they are losing business as a direct result of the his budgetary policy. A number of them acknowledge that there are other factors and that there is a cumulative effect. This budget is part of that cumulative effect. That means Ontario is losing jobs. I could go on at length with examples from our first day of hearings alone. There is no way I can accommodate all the people who want to tell the Treasurer how his budget is hurting them, which I believe points out the need for full public hearings.

If the Treasurer will not today commit to full public hearings on his budget, will he at least agree to come to our task force tomorrow where we will give him a position of prominence to listen to what the people have to say about his budget?

Hon Mr Laughren: First of all, I do not understand how anyone can say that a budget that maintained or created 70,000 jobs is costing jobs. That makes absolutely no sense whatsoever. As a matter of fact, one reason we have a \$9.7-billion deficit in this province is that we made a determination to fight the recession and maintain jobs in

the province. What the leader of the third party is saying makes absolutely no sense whatsoever.

I understand that there are always people who do not like budgets. I can remember being in opposition, and I never met a budget I liked either. But I can tell the leader of the third party that I listened very long and very carefully, the standing committee listened long and carefully before the budget, and the budget in large measure reflects the fact that we listened so carefully to people who appeared before us.

TRUCKING INDUSTRY

Mr Nixon: While the Treasurer is in attendance—and this seems to be a day on which we can put some useful questions to him and are getting some useful answers—the trucks have now got double circles around Queen's Park. They have been in Ottawa; they have stopped Highway 401. I do not know how I am going to get back to Brant county tonight, etc.

When the Treasurer has responded to the problems from the trucking industry, as has the Minister of Transportation as well, I think they have very properly indicated there is a broad range of difficulties having to do with deregulation, which was proposed by the government of Canada and implemented here. But it has to do with taxation more than anything else.

It was indicated that the Prime Minister, in response to questions today or yesterday, said, "Go and see Bob Rae; he just raised the tax on diesel fuel." We know that in the federal budget just a few weeks ago, the federal government raised those same taxes. Is it not possible for the Treasurer, a man of substantial stature in this connection, I would say, to sort of cut through some of this baloney, meet with his colleagues but also with the federal people, and respond to the needs of the trucking industry in some sort of concrete way to give them some hope that they can continue in their operation and maintain the jobs? This is really a catastrophe.

Hon Mr Laughren: I do not quarrel with the leader of the official opposition's assessment of the industry. It is in trouble in the province, no question about that. I think if he is fair, he would acknowledge that we took a major step when we put a moratorium, up to 24 months, on the issuing of new licences. That was a major commitment we made to the trucking industry.

I still do not believe that the problems of the trucking industry are central to the tax structure in this province. We know there is some difficulty there, but I think it has a lot more to do with the competition within the industry—simply too much—that is causing the problem. I remain to be convinced that central to their problems is the tax structure in this province.

Mr Nixon: I am sure the Treasurer is aware that he is not the first Treasurer who has had to respond to this problem. Without commenting in detail on that, I would say that it is worse now. Raymond Cope, who is president of the Ontario Trucking Association and whom many people have met, certainly in the government, is quoted in today's Toronto Star as saying, "Governments don't seem to realize this is an industry on fire." I believe he is correct.

Certainly they were smouldering even this time a year ago, when certain other actions might have been taken, but we were doing, as we say in this business, the best we could.

Glengarry Transport just went into bankruptcy last week with hundreds of jobs, not in Toronto but in the outlying areas. It is true wherever we go. I am afraid the Treasurer and his colleagues are going to have to contemplate some action. Is anything being done other than the moratorium on licences that he has referred to?

Hon Mr Laughren: Nothing specific is being done other than the moratorium, plus the other measures I mentioned in response to an earlier question about monitoring—

An hon member: Increasing enforcement.

Hon Mr Laughren: Increasing enforcement, monitoring the payment of taxes and so forth. I believe as well that the Minister of Transportation is going to be meeting with the truckers this afternoon and I am trying to rearrange my schedule to join him at that meeting.

Mr Nixon: We know how busy you are.

Hon Mr Laughren: Yes, you know busy I am. I do not mean to dismiss the problems of the trucking industry with a wave of the hand by indicating that it is not tax-based. I do realize there are very serious problems in the trucking industry, and I think it is important that we sit down and talk to them.

TVONTARIO

Mr Runciman: I have a question for the Minister of Culture and Communications. Last month the Public Policy Forum held a tribute dinner to honour four individuals for their contribution to the country. Tickets were \$150 a plate plus the GST. A table for 10 cost \$1,605.

It has come to our attention that one of these tables was occupied by TVOntario officials, including Chairman Bernard Ostry, and the Deputy Minister of Culture and Communications. This dinner was to honour Sylvia Ostry, the chairman of the Centre for International Studies at the University of Toronto and the wife of the TVOntario chairman.

Can the minister assure the House today that each and every TVOntario official paid for the tickets out of his or her own pocket and not with taxpayers' money?

Hon Mr Marchese: I was not there. Mr Speaker, I—
Interjections.

The Speaker: We now know where the minister was not. Would you let him explain some more?

Hon Mr Marchese: The member raises a question about whether individuals have paid out of their own pockets. I am presuming that might be the case. I will find out and inform the member.

Mr Runciman: Yes, ignorance is bliss. That is the theme of that government over there every time one of these questions arises.

As supplementary, a number of allegations have surfaced in regard to expenditures by the chairman of TVO. One anonymous letter stated that his executive bathroom was regROUTed four times to get the colour just right, and that a surveillance system has been installed outside his office doors. Even more disturbing is the allegation that

the program production budget has been raided to pay for executive expenses.

I wish, Mr Speaker, I could provide the minister with information to substantiate those expenditure claims, but as you know, TVOntario is exempt from the Freedom of Information and Protection of Privacy Act. We have called TVO to ask for an expense account breakdown for the board of directors and the executive management committee. The general counsel has stated that our request has to be in writing and we have to say why we want it. Of course, there is no guarantee as to what, if any, information they might agree to release. That is ridiculous. We are talking about the public's right to know about the expenditures of tax dollars and contributed dollars.

The Speaker: And the supplementary?

Mr Runciman: Will the minister commit himself today to requiring Bernard Ostry to appear before the standing committee on public accounts so we can have a full public airing of this matter?

Hon Mr Marchese: With respect to the question he raises, what I want to say to the House is that the Provincial Auditor is doing a review and audit of a number of expenditures that have happened at TVO. I am anticipating a lot of the questions that the member raises today and that others have raised in the past will be addressed by that audit.

I would want to make sure that we have the results of that audit, and we will have them soon. As soon as we have the answers to those questions, we will know how to deal with it. We will provide the results to the members regarding those allegations and questions. That is all I would like to say to that.

1510

WASTE MANAGEMENT

Mr Fletcher: I have a question for the Minister of the Environment which pertains to the banning of future municipal waste incinerators in the province. Given the environmental and health hazards as well as the cost and effectiveness of incineration, I think this was a bold and necessary step that was taken by the minister, something that previous governments would never do. There are municipalities that still have this option written into their plans, and I am wondering if the minister intends to clarify for these municipalities whether these plans will be followed through, or if she is going to make it more clear for them.

Hon Mrs Grier: That is a good question and I appreciate the opportunity to clarify for municipalities which are undergoing a waste management master plan that this government indeed does not favour incineration as one of the alternatives to be considered. We have, as the member knows, embarked upon an aggressive program of reduction, reuse and recycling, and that is our preferred alternative to the disposal of municipal solid waste.

I know members will also be very pleased to learn, as will municipalities, that I have asked the ministry to review the waste management master planning process, a process that has been very frustrating for a lot of municipalities across this province. I hope soon to be able to

indicate some changes and improvements to that entire process.

SMALL BUSINESS

Mr Mahoney: My question is—it must be his lucky day—to the Treasurer. It has to do with small business in the Premier's Ontario, or what is left of it. It will not deal with what this government has done for small business, which is absolutely nothing, but rather with what this government is doing to small business, which is driving it out of this province.

For the Treasurer's information, businesses with fewer than 50 employees have accounted for 77% of the net job creation gain in Ontario between the years 1978 and 1987; that is 700,000 jobs. However, he has ignored that fact. The NDP, in fact, has dismantled the parliamentary assistant's committee for small business, which acted as a conduit under our administration for that small business community. In fact, the small business advocate seems to have disappeared from the face of the business community. The government has put a surtax on and has hiked the tax rate on over 6,000 small businesses in the province in 1991-92.

The Speaker: And the question?

Mr Mahoney: We are projecting a 30% increase in gasoline taxes over the next eight months. Diesel taxes have gone up and we are seeing the result of that surrounding this building at the present moment—

The Speaker: An interrogative part.

Mr Mahoney: —and these taxes and other taxes will only exacerbate the cross-border shopping dilemma which affects small business in a major way.

Mr Speaker, thank you for your patience. It was important to lay out the scenario so that the members opposite understand.

Does the Treasurer realize that while his expenditures for this government went up 13.4% this year, small business is not able to spend its way out of the recession and is looking for some relief from this government? What is the Treasurer doing for them?

Hon Mr Laughren: I have been in the Legislature now for 19 years and have watched very carefully the attitude of all three parties to the small business community. Having looked at it very carefully and very objectively, there has never been a government in this province that has regarded the small business community as seriously and as being important as we do.

People who are equally as objective in this matter as I am would agree that the anti-recession program we brought in for \$700 million, plus the large local component which pushed it up to almost \$1 billion in spending, benefited the private sector enormously in this province. So I think people who say we have not done anything for the small business sector are simply not being fairminded.

Mr Mahoney: I am quite impressed that the Treasurer answered that with a straight face with that kind of a comment. I am astounded at that. What he is doing for small business people is simply making them smaller and in more time he will continue to do that until they are

obliterated from the face of the business community in this province.

The fact is that in his budget the Ministry of Industry, Trade and Technology received a 0% increase when in reality the rest of his spending departments are up 13.4%. How in God's name can he stand there and say that he takes small business seriously or that he cares about its concerns? How can he stand there and say he cares about small business when in the month of April bankruptcies in this province were up 68%? The facts would tend to show that what he is saying is not accurate. I would not go so far as to say it is not true; perhaps he is not totally informed of the statistics and the serious problems faced by small business in this province.

Would the Treasurer just stand up and give us one example of what he is prepared to do as the financial genius for this province to help small business stay in business in the next four years until we can get the members opposite out of government?

Hon Mr Laughren: I appreciate the plaudits from the member opposite, but he is one of the few people in the province who think I am a financial genius. I certainly do not think so.

The member opposite asked me to give him an example of what this government has done for small business. I would say to him that this year the Ministry of Industry, Trade and Technology's ongoing programs are guaranteeing \$46.5 million in loans for some 3,400 new businesses through the new ventures program for providing \$69.5 million in Ontario Development Corp's direct loan assistance to more than 300 firms.

We have in the budget as well, if he wants to refer directly to the budget, a \$57-million program called the manufacturing recovery program that we believe will be of a direct and enormous assistance to small business in Ontario. It is simply not true that we are not helping small business. We are doing everything we can.

1520

HIGHWAY CONSTRUCTION

Mr Arnott: My question is to the Minister of Transportation and it concerns the Red Hill Creek Expressway. As the minister is well aware, the situation concerning the expressway is not going to go away. Today's rally is evidence that this is a situation which must be dealt with and must be dealt with soon. It is obvious to everyone that the existing road system in Hamilton-Wentworth is not adequate to meet the needs of the community. That is why the expressway was proposed in the first place.

In the minister's response to my letter of 11 March he replied in part, "Some residual benefit may be realized from the works undertaken to date in the community on the local road systems, and I have committed this ministry to financially support project completion and restoration of these work areas."

Can the minister explain to this House what roadwork he was referring to and how these roads can possibly assume the role of an expressway?

Hon Mr Philip: I am pleased that the honourable Conservative critic has asked that question because it gives

me an opportunity to express some concerns that I have. I am sympathetic to some of the people, whom I gather earlier he took credit for organizing, in his speech, who were before the Legislature. But I am also sympathetic to the more than 600 people who on Saturday, in their own time, turned out to the valley because they feel deeply about the environment.

This year alone, we have transferred a 10% increase to the municipal allocations to Hamilton-Wentworth. We are working with them now on a plan and we have had several meetings to develop a whole infrastructure to service that area. I can tell the member that the meetings are going very well with the regional chairman and his staff.

Mr Arnott: That response was interesting, because the minister knows full well that there is no viable, environmentally acceptable alternative, or any alternative, to the route on the Red Hill Creek Expressway.

The minister has told the people of Hamilton-Wentworth that if they can come up with the money themselves they can build their own expressway. Can the minister tell me how on the one hand he can say that the government funding for the expressway is being withdrawn because of environmental concerns, yet on the other hand he is willing to allow the expressway to be built if the people in Hamilton come up with the money themselves?

Hon Mr Philip: I answered this to the honourable member and to the critic for the Liberal Party some time ago. I have no legal right under any statute in Ontario to stop a municipality from building any roadway that it has the legal right to build. If the people of Hamilton-Wentworth and their democratically elected government wish to build that expressway, I have no legal right to stop them and it would be completely improper for me to do that.

Earlier today at the rally, both the Liberal critic and the Conservative critic were outside telling the Ontario people that they do not care about the environment, that the environmental considerations have to take second place. I can tell them that with this government, environmental considerations do not take second place.

LANDFILL SITE

Mr Duignan: Later on this afternoon I will be presenting a petition on behalf of over 12,000 residents of my riding who are concerned about a proposal by Reclamations Systems Inc to create a landfill in the Acton quarry, a quarry owned by United Aggregates Ltd. Will the minister please state her position on this proposal?

Hon Mrs Grier: I am glad to have an opportunity to do that and I was glad earlier today to have an opportunity to meet with representatives from the member's riding who I know are very concerned about this particular proposal.

The proposal is that there be a waste management site within a quarry in the Niagara Escarpment. That proposal was designated under the Environmental Assessment Act by my predecessor, the member for St Catharines, the honourable minister as he then was, a proposal that is going through the environmental assessment process. What the people of that area would like me to do is to unilaterally and arbitrarily say that this cannot go through the process.

Under the Environmental Assessment Act, that option is not open to me.

A review of the documents submitted by RSI is being undertaken by my ministry. When that is completed, it will be put out for public comment, and RSI have the right, under the Environmental Assessment Act, to a hearing if in fact the proposal gets that far.

Mr Duignan: In the town of Halton Hills, a citizens' group called Protect Our Water and Environmental Resources and many other interest groups in Halton believe that the Acton quarry is not only a poor place but a wrong place to put garbage. If the minister finds that the Acton quarry is indeed an inappropriate site for garbage and that it is unsafe because of the water table, will she ensure that no environmental assessment hearing will take place?

Hon Mrs Grier: I thought I explained in my first answer to the member's question that it was not open to the minister to decide whether or not an environmental assessment hearing would occur. As I explained to the representatives of that area this afternoon, I think it would be very dangerous if in fact a minister could unilaterally make that determination. We have an Environmental Assessment Act that is for the protection of the environment and the protection of the people of this province.

There have been many cases when I have supported the need for an environmental assessment, and I support the right of the proponent in this place to have an environmental assessment hearing. I regret that the town of Halton Hills has been informing people that we were on the verge of a hearing. Let me assure the member and those who are concerned that we are a very long way from a hearing on this project and that a great deal more review and work will have to be done before it goes to a hearing.

SKILLS TRAINING

Mr Conway: I have a question to the Treasurer, and it concerns the budgetary policy which he announced here some two and a half weeks ago. Like all of my constituents and, I am sure, all members of the Legislature, I was quite encouraged to read on page 6 of the Treasurer's budget the commitment of the government and the recognition of the government that training is going to be very important to achieving sustainable prosperity for Ontario into the 1990s.

Accepting the wisdom of that assertion, I then went on to read very carefully and reread the budgetary speech on several occasions, and I am looking for any new initiative which the Treasurer might have undertaken to support, I think, a very important part of the wealth-creating aspect of the much-troubled Ontario economy. I cannot seem to find any specifically new initiative that would support what I think we all accept as a first principle of economic recovery for the 1990s.

Can the Treasurer help me find in this budget, which calls for a year-over-year increase of some 13.4% in public expenditures, any new initiatives to support a highly desirable public policy objective such as retraining?

Hon Mr Laughren: No. However, before I be so categorical, the statement the member opposite referred to, on page 6 of the budget, does indicate our determination to

improve the level of training in the province. There are negotiations going on with the federal government and the whole question of training and better co-ordination. I will have to leave with the member opposite the assurance that we are working within government to put together a very serious proposal and effort on the whole question of training in the province.

Mr Conway: I accept what the Treasurer said, and I say again that his government has increased or intends to increase public expenditures by some 13.4% in the coming fiscal year, that is, the fiscal year 1991-92. He has admitted that there are no new initiatives yet indicated to deal with a centrepiece of economic recovery, which is the training account.

I was struck a few days ago in reading the Quebec provincial budget, wherein we see a very different kind of fiscal policy. We see a budgetary plan that is much more constrained in terms of public expenditures; we see a deficit that is roughly one third of that which is planned by the Rae government in Ontario. But against the backdrop of that fiscal conservatism and that restraint and a much tighter control on budgetary deficits, I read in the Quebec budget that a new initiative that contemplates some \$100 million at maturation, a very innovative program, a very worker-friendly program in support of new training, is contemplated.

Is the Treasurer of Ontario not concerned to see next door in Quebec a much more creative, immediate and worker-friendly training program against the backdrop of a very different kind of spending program, and would he not consider that the time has come in Ontario, without spending any more money, to reorder our accounts of \$52 billion to try to at least match what our compatriots in Quebec are doing that ought to give some real concern to those interested in and concerned about job creating in Ontario?

Hon Mr Laughren: I cannot disagree with the emphasis that the member opposite puts on training. I would emphasize, however, that if there is one area in which the provinces and the private sector and the federal government do not have their act together very well, it is in training. I think there is a lot of overlapping and, I suspect, waste, on the whole question of training. I feel very strongly, as the member does, that it is terribly important that we get training co-ordinated properly with other jurisdictions. I am not blaming anybody for this; I think it is just the way it has evolved over the years, although I was frankly very interested in the Quebec model as well.

Before we take any major steps, though, we want to make sure we have some coherence to the whole training system in the province, including the use of the colleges, in which the member has an abiding interest, and the private sector and government, to make sure there is some logic in the whole question of training in the province.

1530

OATHS IN COURTS

Mr Harnick: My question is for the Attorney General. I notice today in his daily quote he indicates that there seems to be developing in our courts a problem related to swearing on the Bible before a witness gives evidence. The

Attorney General has indicated that there have been some complaints from those who do not want to swear on the Bible, and that the complaints have been sporadic.

The Attorney General knows that the courtroom procedural manuals which are held by every courtroom in the province contain some 17 to 18 different oaths which may be sworn. These include secular oaths, the saucer oath for the followers of Confucius, the Gita for Hindus, the Koran for Muslims, the Torah for Jews and the Bible for Christians, among many others.

The Attorney General indicates that the problem is one of sensitivity to the various oaths being available, and the sensitivity is at the initial level. As I understand what he means by initial level—

The Speaker: Would you finish your question, please.

Mr Harnick: I am almost there.

The Speaker: Immediately, please.

Mr Harnick: He means the initial level being the court clerks or crown attorneys or registrars. As I understand it, they all work for the Attorney General. Why does he not just give them proper instructions and stop creating a problem where none exists?

Hon Mr Hampton: Apparently the member for the Conservative Party is not sensitive to the complaints that might come from the followers of other religions.

The point I made with the press yesterday is that we look into complaints that come from individuals from time to time. We look into the nature of those complaints. We have found that in some cases, not all courthouses or not all tribunals across the province may have particular religious texts. We have also found some situations where individuals were not advised before they took the oath that they had a choice as to swearing an oath on a Bible or swearing an oath on some other religious text, or a simple affirmation.

Apparently, however, the member for the Conservative Party does not think these are important issues and does not believe the multicultural community or minorities should have their problems looked at and addressed.

KATHLEEN POOLE

Ms Poole: On a second point of personal privilege, Mr Speaker, and I am sure this one will be much more successful: All members of this House are aware of the enormous personal sacrifices which we make as members of this assembly, probably none greater than the sacrifice of time with our families, so I hope members will bear with me today when I wish my daughter, Kathleen, a happy 13th birthday.

The Speaker: I am not sure it is a point of privilege, but it certainly is important.

CONTRACT SERVICES

Mr Tilson: On a point of privilege, Mr Speaker: I would like to correct the record and apologize to the House and to the member for Renfrew North.

On Wednesday 8 May I implied that in 1990 the member for Renfrew North, a former Minister of Education, had not used a speech that was prepared for him to respond

to the throne speech. In fact the year was not 1990, it was 1989, and the speech was delivered by the Minister of Education to respond to the throne speech. Although my general concern for the lack of guidelines by the government and the use of contract speeches has not changed, I do apologize to the House and to the member for Renfrew North.

Mr Conway: I very much appreciate the point, because as my colleagues of some duration around here will know, it is not my style to contract out for speeches. Perhaps I should. I think on one or two occasions it might have been done, but I wanted the record to be straight that I certainly did not contract out for a speech to be written for me for purposes of this Legislature.

PETITIONS

UNION REPRESENTATION

Mr Runciman: I have a petition signed by 302 residents of my riding of Leeds-Grenville.

"The Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas the Ontario Public Service Employees' Union bargaining unit workers employed in the province of Ontario provincial psychiatric hospitals are requesting representation rights on community advisory boards of the provincial psychiatric hospitals; and

"Whereas the Minister of Health has recently added consumer group representation on said community advisory boards;

"Therefore the following undersigned citizens of the community of Brockville and area request that the OPSEU workers employed at the Brockville Psychiatric Hospital be given representation rights on the community advisory board of the Brockville Psychiatric Hospital."

I want to indicate my full support for this petition and the request of the petitioners.

DECENTRALIZATION OF GOVERNMENT OPERATIONS

Ms Haeck: A petition is on behalf of 2,000 of my constituents requesting that the Ministry of Government Services support the relocation of the Ministry of Transportation to the downtown core of St Catharines.

Pursuant to standing order 35, I hereby affix my signature to this petition and present it to be duly filed.

TAX INCREASES

Mr J. Wilson: I am pleased to present a petition today to the House, in particular because I am the critic for Tourism and Recreation for the Ontario Progressive Conservative Party. The petition reads as follows:

"Whereas the tax increases imposed by the 1991 budget for the province of Ontario will have a negative effect on firms and businesses in border communities and in particular those engaged in the retail and tourism trades;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to direct one of its committees to hold public hearings in Ontario border communities on the proposed tax increases."

LANDFILL SITES

Mr Duignan: I am pleased to present to the Legislative Assembly of Ontario a petition signed by 12,444 residents of my riding.

"Whereas the Halton region has its own proposed landfill site; and

"Whereas the Acton quarry landfill is on the Niagara Escarpment, declared by the UN as a biosphere reserve; and

"Whereas all landfills will leak; and

"Whereas proponents did not thoroughly examine the alternative sites, and therefore have abused the environmental process; and

"Whereas RSI proposed to bring garbage from all over Ontario to the proposed site; and

"Whereas the citizens of Halton are not a willing host for garbage;

"We, the undersigned, firmly object to the proposal by RSI to locate a dump in the United Aggregates quarry in Acton of Halton Hills, Ontario."

For four years now the citizens of Halton Hills, part of my riding, have been fighting to keep garbage out of the Niagara Escarpment, and a group called POWER started collecting signatures on a petition to oppose the landfill site that puts the drinking water at risk; it is a petition to which I affix my signature.

DAY CARE

Mr McLean: I have a petition addressed to the Minister of Community and Social Services. It reads:

"We, the undersigned, request that the minister take action immediately to rectify the further salary inequity announced 31 January 1991 for early childhood educators.

"We believe that freedom of choice, pay equity and non-discrimination are the backbone of our democratic society. Furthermore, parents must retain the right to select the day care of their choice."

That is signed by several people, and I have also affixed my name to it.

1540

PARLIAMENTARY PROCESS

Mr Kormos: I have a petition. It is addressed to the Lieutenant Governor and the Legislative Assembly of Ontario and it reads:

"Mike Harris, listen up, make your point and get on with it. We are tired of his stalling.

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas the Progressive Conservative members of the Legislature have been using various tactics to delay and obstruct the business of the House; and

"Whereas the grandstanding of those same Progressive Conservatives is wasting legislative time and taxpayers' money and;

"Whereas the Progressive Conservatives are fighting for their political lives at the expense of working people here in the province of Ontario,

"We call on the Legislature to get on with the business of the public and, in particular, the debate of the employee wage protection program, Bill 70, which will help laid-off

workers get their wages, vacation pay, holiday pay, termination or severance pay owed to them."

A number of people have signed this. I have signed it. I am giving it to Njeri Campbell, one of our great pages, to take down to you right now, Mr Speaker.

DAY CARE

Mr Jackson: I have a petition which indicates, "Whereas Bob Rae promised the moon and the sun in the last provincial election, all we have seen is the member for Welland-Thorold as the Sunshine Boy and somebody's moon out of the Premier's office," but I refuse to table that petition.

The one I do wish to table is addressed to the House and it is from Glendale Day Nursery in Hamilton. These are parents and workers and it says:

"We, the undersigned, request that the Minister of Community and Social Services take action immediately to rectify the further salary inequity announced by her government 31 January 1991 for early childhood educators in this province.

"We believe that freedom of choice, pay equity and non-discrimination are the backbone of our democratic society. Furthermore, parents must retain the right to select the day care of their choice in Ontario."

I support that, I have signed my name to that, and I support those families in Hamilton who apparently could not find a member to table their petition for them.

FRENCH-LANGUAGE SERVICES

Ms Haeck: I have a second petition. This is on behalf of 124 of my constituents regarding repeal of the French Language Services Act of Ontario, and I hereby present it to be duly filed.

BUDGET

Mr Tilson: I have a petition for this House that states that:

"Whereas the 1991 budget of the province of Ontario proposes measures which would substantially increase the provincial debt and the provincial deficit; and

"Whereas the 1991 budget of the province of Ontario imposes \$1 billion in new taxes on consumers and workers; and

"Whereas the policy proposed in the 1991 budget would further undermine the competitiveness of Ontario firms,

We, the undersigned, do respectfully petition the Legislative Assembly of the province of Ontario to refer the 1991 budget in its entirety to a standing committee of the Legislative Assembly for public hearings around the province."

PARLIAMENTARY PROCESS

Mr Drainville: It is with a heavy heart that I come to this House today to present this very sobering petition.

"To the Legislative Assembly of Ontario:

"Whereas the Progressive Conservative Party has usurped the power and position of the government through undemocratic use of the standing orders of the assembly;

"Whereas the Progressive Conservative Party has cost the taxpayers of Ontario \$290,000 per day over the period of their childish and misguided activity;

"Whereas the Progressive Conservative Party has wasted well over \$2 million of the taxpayers' money; and

"Whereas the leader of the Progressive Conservative Party has characterized himself as a tax fighter when he and his party are really only tax wasters, we the undersigned citizens of the province of Ontario ask that the obstruction of the assembly end and that the first budget of the NDP government be allowed to be debated."

DEER POPULATION

Mrs MacKinnon: I have a petition signed by over 400 residents of Lambton county to the Minister of Natural Resources.

"We, the undersigned, do humbly petition the minister to take immediate action on reducing the size of the deer population in the Pinery Provincial Park to a size that does not damage the flora and fauna of the park, thereby reducing the motor vehicle accidents on the area highways, reducing damage to vegetable growers' crops and residential landscaping and reducing the likelihood of residents and tourists being exposed to Lyme disease."

I have affixed my name to this petition.

DAY CARE

Mr Tilson: I have a petition addressed to this House and to the Minister of Community and Social Services.

"We, the undersigned, request that the minister take action immediately to rectify the further salary inequity announced 31 January 1991 for early childhood educators.

"We believe that freedom of choice, pay equity and non-discrimination are the backbone of our democratic society. Furthermore, parents must retain the right to select the day care of their choice."

PARLIAMENTARY PROCESS

Mr Johnson: I have a petition to the Legislative Assembly of Ontario.

"Whereas the third party is most certainly unsure of its purpose in the Legislature and obviously does not know whether its members want to support or oppose its own bills, nor do they know whether they want to adjourn the House or not at any given time;

"Therefore we, the undersigned citizens of Ontario, request that the government of Ontario do what is necessary to stop the third party from wasting time and money by unduly delaying the legislative process."

Mr Ruprecht: On a point of order, Mr Speaker: I listened with great care to the member for Prince Edward-Lennox-South Hastings reading his petition. I would like to know, Mr Speaker, if you could intervene and tell us how many people actually from Ontario signed this petition and where this petition came from. Where did it originate from? We could all get up here and read petitions until we are blue in the face, but what really is the test and maintains the test of time is who signed the petition, how many people signed the petition and where do these petitions come from?

The Speaker: To the member for Parkdale, I would draw his attention, and indeed the attention of all members, to section 35 of the standing orders which carefully delineates all the responsibilities of the members in terms of presenting petitions. It reads in part that a brief statement outlining the purpose of the petition should be provided, not editorial comment.

DAY CARE

Mr Villeneuve: I too have a petition to His Honour the Lieutenant Governor and the Legislature of Ontario.

"We, the undersigned, request that the Minister of Community and Social Services take action immediately to rectify the further salary inequity announced 31 January 1991 for early childhood educators.

"We believe that freedom of choice, pay equity and non-discrimination are the backbone of our democratic society. Furthermore, parents must retain the right to select the day care of their choice."

This is a very legitimate petition signed by some 40 people from the Hamilton area.

REPORT BY COMMITTEE

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mr Jackson, on behalf of Mr Runciman, from the standing committee on government agencies presented the committee's eighth report.

The Speaker: Does the member wish to make a brief statement?

Mr Jackson: No, thank you.

The Speaker: That is very polite.

Pursuant to standing order 104(g)14, the report is deemed to be adopted by the House.

1550

INTRODUCTION OF BILL

BUDGETARY EFFECTS STUDY ACT, 1991

LOI DE 1991 SUR L'ÉTUDE DES EFFETS BUDGÉTAIRES

Mr Harris moved first reading of Bill 101, to require the Minister of Industry and Trade to conduct a study on the effect of the 1991/1992 Ontario Budget on certain industries.

M. Harris propose la première lecture du projet de loi 101, pour exiger que le ministre de l'Industrie et du Commerce effectue une étude sur les effets du budget de l'Ontario de 1991/1992 à l'égard de certaines industries.

Mr Harris: I move that leave be given to introduce a bill entitled An Act to require the Minister of Industry and Trade to Conduct a Study on the Effect of the 1991-92 Ontario Budget on the Agricultural and Related Services Industries, the Fishing and Trapping Industries, the Logging and Forestry Industries, the Mining Industry, the Quarrying and Oil Well Industries, the Crude Petroleum and Natural Gas Industries, the Quarry and Sand Pit Industries, Mineral Extraction-Related Services Industries, the Meat and Meat Product Industries, the Poultry Products Industry, the Fish Products Industry, the Fruit and Vegetable

Industries, the Dairy Products Industry, the Feed, Bread and Other Bakery Products Industry, the Miscellaneous Food Products Industry, the Soft Drink Industry, the Distillery Products Industry, the Brewery Products Industry, the Tobacco Products Industry, the Rubber Products Industry, the Plastic Products Industry, the Leather and Allied Products Industry, the Footwear Industry, the Primary Textile and Textile Products Industry, the Wool, Yarn and Cloth Industry, the Miscellaneous Textile Products Industry, the Carpet, Mat and Rug Industry, the Clothing Industry, the Hosiery Industry, the Sawmills Industry, the Planing and Shingle Mill Industry, the Veneer and Plywood Industry, the Sash, Door and Other Millwork Industry, the Other Wood Products Industry, the Household Furniture Industry, the Office Furniture Industry, the Pulp and Paper Industry, the Paper Box and Bag Industry, the Other Converted Paper Products Industry, the Printing and Publishing Industry, the Platemaking Industry, the Typesetting and Bindery Industry, the Primary Steel Industry, the Steel Pipe and Tube Industry, the Iron Foundry Industry, the Non-ferrous Smelting and Refining Industry, the Power Boiler and Structural Metal Industry, the Ornamental and Architectural Metal Product Industry, the Stamped, Pressed and Coated Metal Industry, the Wire and Wire Products Industry, the Hardware, Tool and Cutlery Industry, the Heating Equipment Industry, the Machine Shop Industry, the Miscellaneous Metal Fabricating Industry, the Agriculture Implement Industry, the Commercial Refrigeration Equipment Industry—

Mr Mammoliti: You have all the students leaving. You're boring them.

The Deputy Speaker: Order.

Mr Perruzza: Wait until the hammer comes down, boys.

The Deputy Speaker: Order. The member for Downsview, would you please take your seat.

Mr Harris: I hope I did not lose my place. I do not want to have to start over here.

The Aircraft and Aircraft Parts Industry, the Motor Vehicle Industry, the Truck, Bus Body and Trailer Industry, the Motor Vehicle Parts and Accessories Industry, the Railroad Rolling Stock Industry, the Shipbuilding and Repair Industry, the Small Electrical Appliance Industry, the Major Appliance Industry, the Record Players Industry, the Radio and TV Receivers Industry, the Electronic Equipment Industry, the Office, Store and Business Machines Industry, the Communications Industry, the Energy Wire and Cable Industry, the Battery Industry, the Cement Industry, the Concrete Products Industry, the Ready-mix Concrete Industry, the Glass and Glass Products Industry, the Refined Petroleum and Coal Products Industry, the Chemicals Industry, the Plastic and Synthetic Resin Industry, the Pharmaceutical and Medicine Industry, the Paint and Varnish Industry, the Soap and Cleaning Compounds Industry, the Toilet Preparations Industry, the Jewellery and Precious Metal Products Industry, the Sporting Goods and Toy Products Industry, the Sign and Display Industry, the Floor Tile Industry, the Linoleum Industry, the Coated Fabrics Industry, the Residential Construction Industry, the

Commercial Construction Industry, the Air Transport and Related Services Industry, the Water Transport and Related Services Industry, the Truck Transport Industry, the Urban Transit Systems Industry, the Interurban and Rural Transit Systems Industry, the Pipeline Transport Industry, the Storage and Warehousing Industry, the Telecommunications Broadcasting Industry, the Telecommunication Carriers Industry, the Electric Power Systems Industry, the Gas Distribution Systems Industry, the Wholesale Trade Industry, the Retail Trade Industry—

Mr Mills: On a point of personal privilege, Mr Speaker: As you and everybody here knows, these proceedings are being watched throughout the province of Ontario. I take exception to being part of a government that represents people here to be so ridiculous, as is going on. This is just absolutely awful. It reflects on me, the stupidity and—

Mr Carr: Take a look at the budget if you want stupidity, Gordon. Your grandkids are going to be bankrupt.

The Deputy Speaker: Order, please, the member for Oakville South.

This is not a point of order. The member for Nipissing is within his rights.

Mr Harris: If the member is disgusted with that government, he can come over here. Unfortunately, we have lots of room over here.

If I could carry on, I do not know whether I lost my place here or not. I think the Retail Trade Industry was the last one.

The Banking Industry, the Credit Unions and Other Deposit Institutions Industry, the Trust Institutions Industry, the Other Financial and Real Estate Institutions Industry—I am grouping a lot of these together so it will not take too much time.

Mr G. Wilson: Mr Speaker, I would like to have a point of personal privilege and break into the inaction of the House to commend the work of the pages in this session. In particular, I would like to mention Sarah Lambert from my riding.

The Deputy Speaker: This is not a point of order. Please take your seat.

Mr Harris: If there is unanimous consent, I do not mind stopping if we would like to have a few words about the pages. If you would like to have unanimous consent of the House, Mr Speaker, I would be prepared to leave the floor to the member for Kingston and The Islands if he wishes to commence.

The Deputy Speaker: You have requested whether there is unanimous consent for the member for Kingston and The Islands to speak. Is there unanimous—

An hon member: No.

1600

The Deputy Speaker: I heard a no, so there is not unanimous consent. The member for Nipissing.

Mr Harris: As long as those watching understand that it was the member of the New Democratic Party who did not wish to carry on. To continue:

The Insurance Industry, the Business Service Industry, the Educational Services Industry, the Health Services Industry, the Accommodation and Food Services Industries, the Amusement and Recreational Services Industry, and the Personal and Household Services Industry, and that it now be read the first time.

The Deputy Speaker: Mr Harris has moved that leave be given to introduce an act, the Budgetary Effects Study Act, 1991, An Act to require the Minister of Industry, Trade and Technology to conduct a Study on the Effect of the 1991-92 Ontario budget on the Agricultural and Related Services Industries, the Fishing and Trapping Industries, the Logging and Forestry Industries, the Mining Industry—

Mr Michlash: Dispense.

The Deputy Speaker: Dispense?

Mr Harris: No. I want to make sure I did not miss anything.

The Deputy Speaker: —the Quarrying and Oil Well Industries, the Crude Petroleum and Natural Gas Industries, the Quarry and Sand Pit Industries, Mineral Extraction-Related Services Industries, the Meat and Meat Product Industries, the Poultry Products Industry, the Fish Products Industry, the Fruit and Vegetable Industries, the Dairy Products Industry, the Feed, Bread and Other Bakery Products Industry, the Miscellaneous Food Products Industry, the Soft Drink Industry, the Distillery Products Industry, the Brewery Products Industry, the Tobacco Products Industry, the Rubber Products Industry, the Plastic Products Industry, the Leather and Allied Products Industry, the Footwear Industry, the Primary Textile and Textile Products Industry, the Wool, Yarn and Cloth Industry, the Miscellaneous Textile Products Industry, the Carpet, Mat and Rug Industry, the Clothing Industry, the Hosiery Industry, the Sawmills Industry, the Planing and Shingle Mill Industry, the Veneer and Plywood Industry, the Sash, Door and Other Millwork Industry, the Other Wood Products Industry, the Household Furniture Industry, the Office Furniture Industry, the Pulp and Paper Industry, the Paper Box and Bag Industry, the Other Converted Paper Products Industry, the Printing and Publishing Industry, the Platemaking Industry, the Typesetting and Bindery Industry, the Primary Steel Industry, the Steel Pipe and Tube Industry, the Iron Foundry Industry, the Non-ferrous Smelting and Refining Industry, the Power Boiler and Structural Metal Industry, the Ornamental and Architectural Metal Product Industry, the Stamped, Pressed and Coated Metal Industry, the Wire and Wire Products Industry, the Hardware, Tool and Cutlery Industry, the Heating Equipment Industry, the Machine Shop Industry, the Miscellaneous Metal Fabricating Industry, the Agricultural Implement Industry, the Commercial Refrigeration Equipment Industry, the Aircraft and Aircraft Parts Industry, the Motor Vehicle Industry, the Truck, Bus Body and Trailer Industry, the Motor Vehicle Parts and Accessories Industries, the Railroad Rolling Stock Industry, the Shipbuilding and Repair Industry, the Small Electrical Appliance Industry, the Major Appliance Industry, the Record Players Industry, the Radio and TV Receivers Industry, the

Electronic Equipment Industry, the Office, Store and Business Machines Industry, the Communications Industry, the Energy Wire and Cable Industry, the Battery Industry, the Cement Industry, the Concrete Products Industry, the Ready-mix Concrete Industry, the Glass and Glass Products Industry, the Refined Petroleum and Coal Products Industry, the Chemicals Industry, the Plastic and Synthetic Resin Industry, the Pharmaceutical and Medicine Industry, the Paint and Varnish Industry, the Soap and Cleaning Compounds Industry, the Toilet Preparations Industry, the Jewellery and Precious Metal Products Industry, the Sporting Goods and Toy Products Industry, the Sign and Display Industry, the Floor Tile Industry, the Linoleum Industry, the Coated Fabrics Industry, the Residential Construction Industry, the Commercial Construction Industry, the Air Transport and Related Services Industry, the Water Transport and Related Services Industry, the Truck Transport Industry, the Urban Transit Systems Industry, the Interurban and Rural Transit Systems Industry, the Pipeline Transport Industry, the Storage and Warehousing Industry, the Telecommunications Broadcasting Industry, the Telecommunication Carriers Industry, the Electric Power Systems Industry, the Gas Distribution Systems Industry, the Wholesale Trade Industry, the Retail Trade Industry, the Banking Industry, the Credit Unions and Other Deposit Institutions Industry, the Trust Institutions Industry, the Other Financial and Real Estate Institutions Industry, the Insurance Industry, the Business Service Industry, the Educational Services Industry, the Health Services Industry, the Accommodation and Food Services Industries, the Amusement and Recreational Services Industry and the Personal and Household Services Industry.

M. Harris propose la première lecture d'un projet de loi sur l'étude des effets budgétaires, Loi exigeant du ministre de l'Industrie et du Commerce qu'il effectue une étude sur les effets du budget de 1991/1992 à l'égard des industries suivantes : agriculture et services connexes, pêche et piégeage, mines, carrières et puits de pétrole, pétrole brut et gaz naturel, carrières et sablières, industries des services connexes à l'extraction du minerai, viandes, volaille, poisson, fruits et légumes, produits laitiers, aliments pour animaux, pain et autres produits de boulangeries, produits alimentaires divers, boissons gazeuses, produits de distillation, bière, tabac, produits de caoutchouc, produits en matière plastique, cuir et produits connexes, chaussures, textiles et produits textiles, filature et tissage de la laine, produits textiles divers, tapis, carpettes et moquettes, habillement sauf bas, bas et chaussettes, scieries, rabotage et bardeaux, placages et contreplaqués, portes, châssis, autres bois ouvrés, industries d'autres produits du bois, meubles de maison, meubles de bureau, pâtes et papier, boîtes en carton et sacs en papier, autres produits en papier transformé, imprimerie et édition, clichage, composition et reliure, sidérurgiques, tubes et tuyaux d'acier, fonderies de fer, fonte et affinage métaux non ferreux, chaudières et éléments de charpente, architecture en métal, emboutissage et fils métalliques et ses produits, articles de quincaillerie, matériel de chauffage, ateliers d'usinage, autres produits en métal, instruments aratoires, équipement commercial de réfrigération, aéronefs et pièces d'aéronefs, véhicules

automobiles, carrosseries de camions et d'autobus et remorques, pièces et accessoires pour véhicules, matériel ferroviaire roulant, construction, réparation de navire, petits appareils électriques, gros appareils (électriques ou non), phonographes, récepteurs radio et télévision, matériel électronique, ordinateurs et autres machines de bureau, fils et câbles, électronique et communication—

The Deputy Speaker: Dispense?

An hon member: No.

Le Vice-Président : —accumulateurs, ciment, produits en béton, béton préparé, verre et articles en verre, produits raffinés de pétrole et charbon, chimiques, matériel plastique et résine synthétique, produits pharmaceutiques et médicaments, peintures et vernis, savons et composés de nettoyage, produits de toilette, bijouterie et orfèvrerie, articles de sport et jouets, enseignes et étalages, dalles, linoléum et tissus enduits, construction domiciliaire, construction commerciale, transport aérien et services connexes, transport par eau et services connexes, camionnage, transport en commun urbain, transport en commun interurbain and rural, transport par pipeline, entreposage en emmagasinage—

Mr Ruprecht: On a point of order, Mr Speaker: I have been sitting in my place and listening very attentively to your reading of the various industries, and I am just wondering if you could perhaps spare us the constant repetition of these industries and start from the back.

The Deputy Speaker: Thank you for your sympathy, but the procedures require that I read the bill both in English and French, and I shall do so.

Télécommunications, transmission, énergie électrique, distribution de gaz, commerce de gros, commerce de détail, banques, caisses d'épargne et autres institutions de dépôt, sociétés de fiducie, autres agents financiers et immobiliers, assurances, services aux entreprises, services d'enseignements, services de soins de santé, hébergement et restauration, services de divertissement et loisirs, services personnel et domestiques.

The House divided on Mr Harris's motion, which was agreed to on the following vote:

La motion de M. Harris, mise aux voix, est adoptée:

1619

Ayes/Pour—57

Abel, Arnott, Boyd, Bradley, Brown, Carr, Cooke, Cooper, Coppen, Cunningham, Drainville, Duignan, Elston, Eves, Farnan, Gigantes, Grandmaître, Haeck, Hansen, Harnick, Harrington, Hayes, Hope, Jordan, Klopp, Lankin, Lessard, Mackenzie, MacKinnon, Malkowski, Mammoliti, Martel, McGuinty, McLean, Miclash, Morrow, O'Connor, Offer, Owens, Perruzza, Phillips, G., Poirier, Rizzo, Ruprecht, Scott, Sola, Sutherland, Turnbull, Villeneuve, Ward, M., Wark-Martyn, Waters, White, Wilson, G., Wilson, J., Winninger, Ziemba.

Nays/Contre—4

Kormos, Murdock, S., Wilson, F., Wiseman.

The Deputy Speaker: I would like the House to recognize in the west gallery the select committee on minority issues of the Netherlands Parliament. Welcome to Ontario.

Mr Mammoliti: On a point of order, Mr Speaker—

The Deputy Speaker: Order, please. I cannot listen to your point of order immediately. I have to listen to your point of order after the clerk at the table has read the whole bill.

Clerk Assistant and Clerk of Journals: This is a bill entitled An Act to require the Minister of Industry and Trade to Conduct a Study on the Effect of the 1991-1992 Ontario Budget on the Agricultural and Related Services Industries, the Fishing and Trapping Industries, the Logging and Forestry Industries, the Mining Industry, the Quarrying and Oil Well Industries, the Crude Petroleum and Natural Gas Industries, the Quarry and Sand Pit Industries, Mineral Extraction-Related Services Industries, the Meat and Meat Product Industries, the Poultry Products Industry, the Fish Products Industry, the Fruit and Vegetable Industries, the Dairy Products Industry, the Feed, Bread and Other Bakery Products Industry, the Miscellaneous Food Products Industry, the Soft Drink Industry, the Distillery Products Industry, the Brewery Products Industry, the Tobacco Products Industry, the Rubber Products Industry, the Plastic Products Industry, the Leather and Allied Products Industry, the Footwear Industry, the Primary Textile and Textile Products Industry, the Wool, Yarn and Cloth Industry, the Miscellaneous Textile Products Industry, the Carpet, Mat and Rug Industry, the Clothing Industry, the Hosiery Industry, the Sawmills Industry, the Planing and Shingle Mill Industry, the Veneer and Plywood Industry, the Sash, Door and Other Millwork Industry, the Other Wood Products Industry, the Household Furniture Industry, the Office Furniture Industry, the Pulp and Paper Industry, the Paper Box and Bag Industry, the Other Converted Paper Products Industry, the Printing and Publishing Industry, the Platemaking Industry, the Typesetting and Bindery Industry, the Primary Steel Industry, the Steel Pipe and Tube Industry, the Iron Foundry Industry, the Non-ferrous Smelting and Refining Industry, the Power Boiler and Structural Metal Industry, the Ornamental and Architectural Metal Product Industry, the Stamped, Pressed and Coated Metal Industry, the Wire and Wire Products Industry, the Hardware, Tool and Cutlery Industry, the Heating Equipment Industry, the Machine Shop Industry, the Miscellaneous Metal Fabricating Industry, the Agriculture Implement Industry, the Commercial Refrigeration Equipment Industry, the Aircraft and Aircraft Parts Industry, the Motor Vehicle Industry, the Truck, Bus Body and Trailer Industry, the Motor Vehicle Parts and Accessories Industry, the Railroad Rolling Stock Industry, the Shipbuilding and Repair Industry, the Small Electrical Appliance Industry, the Major Appliance Industry, the Record Players Industry, the Radio and TV Receivers Industry, the Electronic Equipment Industry, the Office, Store and Business Machines Industry, the Communications Industry, the Energy Wire and Cable Industry, the Battery Industry, the Cement Industry, the Concrete Products Industry, the Ready-mix Concrete Industry, the Glass and Glass Prod-

ucts Industry, the Refined Petroleum and Coal Products Industry, the Chemicals Industry, the Plastic and Synthetic Resin Industry, the Pharmaceutical and Medicine Industry, the Paint and Varnish Industry, the Soap and Cleaning Compounds Industry, the Toilet Preparations Industry, the Jewellery and Precious Metal Products Industry, the Sporting Goods and Toy Products Industry, the Sign and Display Industry, the Floor Tile Industry, the Linoleum Industry, the Coated Fabrics Industry, the Residential Construction Industry, the Commercial Construction Industry, the Air Transport and Related Services Industry, the Water Transport and Related Services Industry, the Truck Transport Industry, the Urban Transit Systems Industry, the Interurban and Rural Transit Systems Industry, the Pipeline Transport Industry, the Storage and Warehousing Industry, the Telecommunications Broadcasting Industry, the Telecommunication Carriers Industry, the Electric Power Systems Industry, the Gas Distribution Systems Industry, the Wholesale Trade Industry, the Retail Trade Industry, the Banking Industry, the Credit Unions and Other Deposit Institutions Industry, the Trust Institutions Industry, the Other Financial and Real Estate Institutions Industry, the Insurance Industry, the Business Service Industry, the Educational Services Industry, the Health Services Industry, the Accommodation and Food Services Industries, the Amusement and Recreational Services Industry and the Personal and Household Services Industry/Loi exigeant du ministre de l'Industrie et du Commerce qu'il effectue une étude sur les effets du budget de 1991/1992 à l'égard des industries suivantes : agriculture et services connexes, pêche et piégeage, mines, carrières et puits de pétrole —

Interjections.

The Deputy Speaker: Dispense? Dispense.

1630

ORDERS OF THE DAY

EMPLOYMENT STANDARDS AMENDMENT ACT
(EMPLOYEE WAGE PROTECTION PROGRAM), 1991

LOI DE 1991 MODIFIANT LA LOI SUR LES NORMES
D'EMPLOI (PROGRAMME DE PROTECTION
DES SALAIRES DES EMPLOYÉS)

Resuming the adjourned debate on the motion for second reading of Bill 70, An Act to amend the Employment Standards Act to provide for an Employee Wage Protection Program and to make certain other amendments.

Suite du débat ajourné sur la motion visant la deuxième lecture du projet de loi 70, Loi portant modification de la Loi sur les normes d'emploi par création d'un Programme de protection des salaires des employés et par adoption de certaines autres modifications.

Mr Harnick: On a point of order, Mr Speaker: When this debate adjourned the last time this was on the order paper, I believe I had the floor.

Some hon members: That's right.

The Deputy Speaker: On your point of order, please.

Mr Harnick: I believe I had the floor and I still had time, and I wonder when the debate begins whether I do not still have the floor and whether I cannot continue.

The Deputy Speaker: Your time is granted. Please go ahead.

Mr Harnick: I believe that we cannot properly consider this bill until we properly review the budget, and I therefore move adjournment of the debate.

1705

The House divided on Mr Harnick's motion, which was negatived on the following vote:

Ayes 7; nays 70.

Mr Drainville: Mr Speaker, on a point of order: I know that on a point of order we have to be very direct and to the point, so the point I would like to make is that it is the birthday today of the honourable member for Oxford. I realize we are not allowed to do that in the House, but I just thought that it might be of interest to some of the members.

The Acting Speaker (Mr Villeneuve): It is officially not a point of order, but I am sure it is a point of very important information to all members of this House.

Mr Elston: It is against all odds that the honourable member for Oxford has survived this long, although we all know he has the wind to blow out every candle and most of the cake when it appears.

The Acting Speaker: I want to thank the honourable member for Bruce for this very valuable advice.

Mr Harnick: The budget still occupies my mind and I move adjournment of the House.

1736

The House divided on Mr Harnick's motion, which was negatived on the following vote:

Ayes 10; nays 62.

The Deputy Speaker: I would like to recognize a former member of this House, Andy Brandt.

Mr Ferguson: On a point of order, Mr Speaker: Under the standing orders there is no provision at all in the regulations of the House for the naming of political parties or campaigns, but I want to suggest that next time they should run as the Tax Wasters of Ontario. That is what they should be calling their campaign.

The Deputy Speaker: This is not, as you know, a point of order.

Mr White: On a point of privilege, Mr Speaker: I realize that the means by which the vote is taken is simply a number. However, I would like to make it clear on the record that neither I nor any of my colleagues on the government side, nor for that matter the official opposition, is dedicated to not working, as the third party is.

Interjections.

The Deputy Speaker: Order, please.

Mr Harnick: This is a horrible budget which should be properly considered by the public. Therefore, I move adjournment of the debate.

Interjections.

The Deputy Speaker: Order, please.

Mr Harnick: This is a horrible budget. I move adjournment of the debate.

Interjections.

The Deputy Speaker: Order, please.

Mr Eves: On a point of order, Mr Speaker: I have been watching the clock. You have not stopped the clock once. There are 32 seconds left on that clock. You have stopped the clock to call for order. The member's time should not be elapsing while people over on the other side are screaming while you are trying to gain order. The member has the floor. He has 32 seconds left.

The Deputy Speaker: Order, please. It is the prerogative of the Chair to stop the clock. In this instance, I will not stop the clock.

Mr Harnick: There are 32 seconds left on the clock. I have moved twice to adjourn this debate. That is what is before the House at this particular moment.

Interjections.

The Deputy Speaker: I apologize. I could not hear a word.

1810

The House divided on Mr Harnick's motion, which was negatived on the following vote:

Ayes 9; nays 54.

The House adjourned at 1811.

ALPHABETICAL LIST OF MEMBERS

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Speaker: Hon David Warner

Clerk of the Legislative Assembly: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees: Smirle Forsyth

Clerk Assistant and Clerk of Journals: Alex D. McFedries

Sergeant at Arms: Thomas Stelling

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines and to the Minister of Northern Development
			Vice-Chair, standing committee on Ontario in Confederation
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Hon Brian A.	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
Churley, Hon Marilyn	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	
Gigantes, Evelyn	Ottawa Centre	NDP	
Grandmaître, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities

Name of member	Constituency	Party	Other responsibilities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Chair, standing committee on regulations and private bills Vice-Chair, standing committee on finance and economic affairs
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	Chair, standing committee on resources development Parliamentary assistant to the Minister of Energy
Jackson, Cameron	Burlington South	PC	Chair, standing committee on estimates
Jamison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chair of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	Chair, standing committee on resources development
Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Health, Chair of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
Mackenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	Parliamentary assistant to the Minister of the Environment
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the Whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition

Name of member	Constituency	Party	Other responsibilities
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O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment
			Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs
			Premier, Minister of Intergovernmental Affairs
Rae, Hon Bob	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
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Villeneuve, Noble	S-D-G & East Grenville	PC	Second Deputy Chair of the Committee of the Whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker
			Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation
			Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice
			Vice-Chair, standing committee on the Ombudsman
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Hon Fred	Frontenac-Addington	NDP	Minister of Government Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winner, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	

Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

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Clerk: Smirle Forsyth

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of Ontario**

First Session, 35th Parliament

**Assemblée législative
de l'Ontario**

Première session, 35^e législature

**Official Report
of Debates
(Hansard)**

Thursday 16 May 1991

**Journal
des débats
(Hansard)**

Le jeudi 16 mai 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 16 May 1991

The House met at 1000.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

INTERVENORS AND SIGN LANGUAGE INTERPRETERS SERVICES D'INTERVENTION ET INTERPRÈTES DE LANGUES DE SIGNES

Mr Malkowski moved resolution 13:

That, in the opinion of this House, recognizing that the time has come for a fundamental assessment of provincial policies and practices concerning intervention services and sign language interpreting services, intervenor training and sign language interpreter training and the availability of intervenors and sign language interpreters in educational settings and in the community generally, the Ministry of Colleges and Universities should immediately undertake a thorough review of those policies and practices, with the scope of the review to include:

(a) the reasons for the current shortage of intervenors and interpreters in this province and its impact on the ability of colleges and universities, elementary and secondary schools, schools for the deaf and community service agencies and employers to hire qualified intervenors and interpreters;

(b) the availability of American Sign Language (ASL) interpreters and langue des signes québécois (LSQ) interpreters, oral interpreters and English and French intervenors in Ontario;

(c) the availability of intervention training programs and sign language interpreter training programs, including either ASL or LSQ, in Ontario;

(d) the appropriateness of current entrance requirements for sign language interpreter training programs, particularly the criteria pertaining to prospective students' sign language fluency;

(e) the number of sign language interpreter instructors who do not have an appropriate sign language interpreter training background;

(f) the effectiveness of current sign language interpreter training curricula and an assessment of curriculum standards in Ontario, including the degree of involvement of experts and consumers in curriculum development and the extent of ongoing consultation;

(g) the availability of funds to cover the costs of intervenor services and interpreter services;

(h) the appropriateness of the currently limited mandates of the ministries of Community and Social Services, Health, Colleges and Universities, Tourism and Recreation, the Attorney General, Skills Development and Education to assist those who need intervenor services and interpreter services, and the policies of those ministries on the provision of those services, particularly in relation to

interpreter screening, intervenor screening, service quality and training program quality;

(i) the availability of current intervenor apprenticeship programs and interpreter apprenticeship programs and their funding status;

(j) current practices regarding the hiring of sign language interpreters in educational and other community settings;

(k) the role of the Ministry of Colleges and Universities as it pertains to intervenor and sign language interpreter education, and its mandate to collect province-wide data on issues regarding the quality and effectiveness of the teaching of intervention and sign language interpreting in Ontario;

(l) the reason or reasons why no faculty of education in Ontario currently provides teacher training for instructors in intervenor programs and sign language interpreting programs; and

(m) such other matters that the ministry considers necessary to complete a thorough evaluation of provincial policies and practices concerning intervention services and sign language interpreting services.

Further, in the opinion of this House, the ministries of Colleges and Universities and Skills Development should take immediate steps to establish a provincial intervenor task force and a sign language interpreter task force, with the involvement of representatives of the deaf and deaf-blind communities, professional intervenors and sign language interpreters, intervenor providers and sign language interpreter service providers, and intervenor trainers and sign language interpreter trainers, to develop short- and long-term goals for the expansion of intervenor services and sign language interpreter services, and to advise on apprenticeship programs and the establishment of an intervention education program and sign language interpreting education program at the college or university level;

The ministry should immediately establish timetables for pursuing apprenticeship program expansion; and

The ministry should report to the Legislative Assembly on these matters on or before the 31st day of October 1991.

The Deputy Speaker: Pursuant to standing order 94(c)(i), the honourable member has 10 minutes for his presentation.

Mr Malkowski: Before I actually talk a bit about the history of the problems in intervenor and interpreter services, I would like to make sure that the recommendation is included that we get representation from hard-of-hearing groups, deafened groups and parents of deaf children groups; that real-time captioning be considered as a form of interpreting for deafened individuals; that for deaf people who do not understand or access hearing interpreters, deaf intervenor interpreters be added as well; and that, when we spoke of all of the ministries, the Ministry of Correctional Services also be involved in the review of interpreter and intervention services.

I would like to talk a little bit about the history of interpreting and intervention. Those services have only been around professionally since 1980, so it is a very young profession. Interpreters' and intervenors' services prior to 1980 were mainly done by volunteers, family members, relatives and children of deaf or deaf-blind people. Interpreter training programs, in fact, were only established in 1987 and began at only a college level. An intervenor training program will be established this coming fall, and it will be the first program of its kind ever, and also at a college level.

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Prior to 1980, when family members and relatives and children were used, many of these intervenors and interpreters were volunteers. The problem with that was there was no code of ethics they followed. Many of the children of deaf or deaf-blind people had to interpret for their parents in matters such as possible divorce cases, or the buying of houses or cars. Again, these people had to depend on their own children, even, for example, to interpret in a parent-teacher interview when the child himself was being discussed. So members can see that a tremendous number of communication problems existed.

Many people did not have the sign language skills or the knowledge and sensitivity and culture. Therefore much information was edited, and emotional involvement on the part of the interpreter or intervenor occurred, which meant there was a great deal of misunderstanding or misinformation. When incorrect decisions were made, often the child or the volunteer interpreter was blamed because effective service did not occur. Still today we see this happening. Some deaf people or deaf-blind people are forced to use their children as interpreters or intervenors simply because they cannot find quality, professional interpreters and cannot get intervenor services. That occurs to this very day.

The fact that there is so limited a number of interpreters and intervenors in the province of Ontario means these people are being used a great deal, which causes burnout. We are seeing physical damage being done to interpreters and intervenors. To give members an example, there are 80,000 deaf people in the province and only approximately 35 full-time interpreters; 600 deaf-blind people in the province and approximately eight full-time intervenors. This of course has a tremendous impact and is extremely frustrating for deaf, deaf-blind, hard-of-hearing and deafened individuals. In trying to access information on a daily basis they are constantly limited. If they are trying to find a job and are able to obtain the job interview, they are told they have to wait two months before they can get an interpreter. The number of opportunities that are lost is tremendous because they cannot get qualified services. For things such as family counselling, legal appointments, doctors' appointments and psychological assessments, often qualified interpreters are not available.

I certainly remember that when I was a student myself, I had a psychological evaluation without an interpreter and they labelled me as a slow learner. I am here today in the House, so I guess I have to question that. I seem to be functioning all right. But the point is that their right of accessibility to information is being denied. For example,

deaf people who are in prison are not provided services so they can access support groups, speak to their lawyer or talk to the social worker. Often they are suffering from psychological problems, and while they may be given a referral to a psychiatrist, no interpreter exists. Where is the justice here?

I know of a deaf patient who was left in a hospital for one week. One of the family members flew in to see this individual to make sure he was all right and found out that he was actively hallucinating and talking about killing himself. Luckily that family member happened to be able to sign and began to interpret for the patient, telling the psychiatrist that the patient was hallucinating.

The psychiatrist thought the patient was fine and said: "This is my system. I walk in every day, and if they raise their hand like I do, it means they're okay. If they put their hand down, it means that they're not all right. That's our system of communication." Unfortunately, the deaf patient thought the doctor was simply saying hi, every morning and so waved back. Nobody had bothered to explain this communication system to the deaf patient. Nobody had provided appropriate treatment for this patient. Luckily the family member had found out in time; otherwise that person might have killed himself. Where are the professional ethics and responsibility in this sort of situation?

Deaf-blind people in this province need to access information about the world and yet are given only six hours of intervenor services a week. That six hours a week that they are provided has to include food shopping, talking to friends, having some sort of social contact and trying to access information of the world. I wonder how many members could survive with that type of access.

We all know of Helen Keller, who was a shining example of success. However, she had 24-hour intervention services in the form of Anne Sullivan. I wonder how many other Helen Kellers like her are hidden away, unable to access information, cut off from the world.

I know of a qualified teacher who became deafened. After losing their hearing the person lost their job as well, and applied to get into the teacher of the deaf training program, but was not accepted because the person could not hear, could not sign and could not lip-read. But what about real-time captioning and providing sign-language courses for this person? Instead, that did not happen, and they were denied the service.

Hard-of-hearing people often live in a world of hit-or-miss information and a great deal of misunderstanding occurs. Often we see that the problem is because oral interpreters are not provided.

We can see that all of these cases are extremely frustrating and dramatic. Members may think this is not common, but that is because they are used to everyday access to information. Our lives are not like that. We are dealing with very limited schedules and very frustrating experiences.

That means there are deaf people, deaf-blind people, deafened individuals and hard-of-hearing people ready to become directors, administrators, to study for their PhD, to become lawyers, social workers, counsellors and even politicians. The only thing that is stopping them is the requirement for high-level, highly skilled oral ASL-LSQ

interpreters, captioning intervenors, so that they can have full access to information.

We need to establish interpreter training programs and intervenor programs at a university level so that if deaf students want to take their PhD courses, they do not have to use interpreters who do not even have a university background to interpret those courses. We have to see these programs at university level.

We also have to see apprenticeship programs established, so that after graduating from college, students who still need to upgrade their skills have a place to go. It would be like members taking a French course for a year and thinking that they had become French translators. I doubt that the Prime Minister's Office would hire them in that capacity. Therefore, what we need is to see that highly qualified, highly trained interpreters, intervenors and captioning services exist for all individuals, because some day some members out there may also become deaf, hard-of-hearing or maybe deaf-blind, and they too will need interpreters, intervenors and captioning services so they can access information and be able to appreciate the information that exists out there.

We see a lot of deaf and deaf-blind people here with their intervenors or oral interpreters today, and deafened people who can access captioning systems. Now they are actually able to understand the political system. They are up here today in our galleries.

I think it is critical, in summary, that this resolution is important, that all members support this resolution and that we do indeed establish such a review looking at interpreter-intervenor services and captioning services so that we have appropriate training and qualified people; that we have representation from the various interest parties, including deaf, deaf-blind, deafened and hard-of-hearing people so that we actually can establish long- and short-term goals of expansion of services and provision of service to meet the needs of all people. We shall become a model, an effective model I am sure, for the whole world.

1020

Mr Curling: I want to commend the member for York East for bringing forward this resolution. I know of the hard work he had put in even before he was in Parliament, and he continues to fight for those individuals who are being deprived of expressing themselves and playing an important role in our society.

The four minutes or so that I am given is not quite an adequate time to express my emotions and commitment to this cause; however, I will try my best to do so. It is a long way, as the member said, from 1980 and from the time of voluntarism to a more structured manner of dealing with these concerns. Many things have been done.

I can recall, in 1988, that Richard Johnston, the former NDP member for Scarborough West, had met with a member who I think was then representing the Ontario Association of the Deaf in bringing about a resolution which at that time was supported by my party, the Liberal Party, and all members here.

In 1989, I recall too that our government, the Liberal government at the time, the previous government, released

two comprehensive studies of educational programs and services in Ontario for the deaf and hard-of-hearing students. People are quite familiar with those programs as a review of the Ontario education programs for deaf and hard-of-hearing students. The other was the review of the Ontario post-secondary programs for deaf and hard-of-hearing students.

In 1990, the same member, Richard Johnston, introduced Bill 112, a private member's bill to amend the Education Act to make American sign language the language of instruction. I also recall that in June 1990, the minister of the day, the member for Renfrew North, announced that the American sign language pilot project would be undertaken, commencing September 1990. The initiative was, as members will recall, in response to the recommendation in the review of education programs for the deaf and hard-of-hearing.

In November of last year, the present Minister of Education announced four measures concerning the education of deaf and hard-of-hearing students, including such things as statements of the government and commitment to the American sign language as an optional language. It stated that within four years these rich, expansive languages will be established as the optional languages for learning in Ontario schools and programs.

Many things have been done in that time. I want to commend at this time the former member, Richard Johnston, for introducing a private member's bill. I urge the government of today, while this private member's bill is a very important one, to take it under its own wing and introduce it and, without much amendment, move forward with this bill. I know the role that the member plays; he is also part of that government. The bill would get much faster clout and we could have it properly debated if we bring it forward as a main bill, because many of us on this side would like to express ourselves and make sure that that commitment is not only said but felt.

At times it is good for us to be a part of this. It is not only the deaf or the blind who are being disfranchised in this society. Black people, for instance, feel disfranchised about the education system and feel that they are not given an opportunity to play an important role. The streaming and many other things they are faced with are just so much. I can understand the frustration of those people who have so much to give and lend and are unable to give it.

My other colleagues would like to speak. I would like to say to them that it would have been great if they had brought it forward as a government bill so that we could all have supported it strongly. I have no hesitation at all in supporting the honourable member's private member's bill.

Mrs Cunningham: Thank you, Mr Speaker, for this unique opportunity in this House. I would like to thank the member who has brought to this House for the first time in the history of Ontario an opportunity for all of us to support the important issue of allowing members of all disabled communities, but in this case especially the deaf and the deaf-blind communities, the opportunity to be full participating members in our society.

I would also like to take this opportunity to thank my colleague the member for Scarborough North, as he spoke on behalf of his government, which I think made great inroads into the improvement of this quality of life that we are talking about. I would like to remind especially those in the gallery today that they have a wonderful role model in this Legislative Assembly this morning. He should be commended for the work he has done in the past and he should be commended especially today for the opportunity that we all have to see what can happen to someone who has been tremendously motivated, who has worked very hard in his life, who has made public life his contribution to the society in Ontario and to the improvement of the lives of others.

No one will be surprised to know that I, on behalf of the Progressive Conservative caucus, and all of us are here to support the resolution of the member for York East and to offer him our great thanks. In doing so, it would be unlike me not to give him some advice, because at the same time the great concern for all of us in this House is that we cannot be in all places at all times. It concerns me a little bit that maybe I will not be at one of these meetings. I would love to be there and to offer any help that I can as a person who has worked in London, Ontario, for the last 18 years.

In my very early years as a school board trustee, I was proud to be made aware of services that we provided both at the Robarts School Regional Centre for Hearing Handicapped and certainly in our own school board where we took a very different approach to teaching young children, not with American sign language but in other ways. I am here today to talk about all ways and especially to support the one that seems to be most important to the member for York East.

I will start by saying that the member's resolution is one that we and other governments, including our own government many years ago, will take seriously. We got started, did not move too quickly but got a lot of additional support from the Liberals, and now we have the NDP government which will move forward and that is what we need.

We should know that deaf education in Ontario has been widely criticized because of a lack of achievement by Ontario's deaf students. We have talked about that at the elementary, secondary and college levels, and no one knows better than the member for York East what I am talking about.

Post-secondary education opportunities are limited because of a lack of support services and, as a result, the deaf and hard-of-hearing communities face barriers to employment, promotion and job training. Even when they get jobs—and I think a very important part that I have underlined today for the member in his deliberations is the fact that even when we have helped people to become important members, contributing members of our community, when they are so disabled, we do not continue to support them.

I am now talking about the real need for job coaching and job shadowing on an ongoing daily and weekly basis so that employers also understand that it is not easy to be

disabled even with the support services, even with the kinds of drive and energy and the degree of success that the member for York East has received. Some of his own young students, colleagues and young people follow him and look at him as a role model. Even with all that support, if employers are not aware of what is happening, of their responsibility and their gains as employers by supporting the disabled community in many facets of life—but today we are talking about the deaf and hard-of-hearing, the hearing-impaired, the deaf-blind—that has to be part of our mandate. Even after they have left our school systems and our colleges and universities, disabled people still have a right to ongoing education, and part of their education is educating their employers. I want to underline that today.

If Canada is to remain competitive in today's global economy, we must be able to produce a highly skilled workforce of all kinds of people, not just people who have been able to make it on their own without support systems, but people who need support systems. As I stand in this House today, I do not think there is one of us here who does not have a special support system no matter what we are labelled, and I have been labelled many things in the last few days, but I will say that. With happiness I say it.

Of course, if Canada is to remain competitive we also have to make certain that all students are given the opportunity to attend our universities, our colleges and other post-secondary training institutions. Today, however, the services and opportunities, as we have been made very much aware, at the university and college level are not as universal and comprehensive as they ought to be. For this reason I believe it is important for the study of the support and intervenor services to heighten awareness of the need to facilitate educational opportunities for deaf and hard-of-hearing students.

We just have not done a good job of making citizens of Canada and Ontario aware of the necessary support services and what happens because of them, the wonderful degree of accomplishment and the wonderful degree of involvement in our society because people have had those kinds of opportunities. As a society, we must take measures that will make the education offered to all deaf and hearing-impaired students more open and supportive, and must respond to their needs as individuals and as participants of the community.

1030

The study that my colleague the member for York East is proposing today is extremely comprehensive; I do not think I have seen a more comprehensive one. In fact, even at the end he added something he thought was important, and we should put that into it. I thought it was very important. I did not write it down, but I know there was another aspect he wanted us to talk about, and of course if the study is implemented it will hopefully answer a number of questions and make significant recommendations.

In doing my homework for this, I would like to give some credit to those citizens across Ontario who support all of us in our work, and just to begin, I will talk first of all about the Canadian National Institute for the Blind. When we ask them for their support or for their encouragement or

suggestions, they always respond. As elected representatives, they have never let us down and I would like to say that on the record today.

The Canadian Hearing Society also responded to our requests for information. A number of letters have been sent to my colleagues in the Progressive Conservative Party and to our leader, and we will certainly take their good advice today.

The Bob Rumball Centre for the Deaf has always been extremely helpful in so many ways to the legislators of this province. We count on them for the best advice they can give us as we proceed in the training and education of our young people.

I thought the member for York East would be most appreciative of the Canadian Deafened Persons Association's input, as its representatives pointed out some of the problems they have in getting themselves organized and also in looking for services for people who have become deaf later in life because of accidents or health or other reasons and have had no warning and no training for this disability.

As I look to my own community of London, I would like to thank Sandra Bend, who is the literacy instructor of Deaf-Blind Services in southwestern Ontario and has always been most helpful whenever I have needed some assistance on this matter.

Certainly the Board of Education for the City of London, which I think has been a leading school board in teaching and working with parents of children at a very early age—one of the first young children I ever met was two years old and now we are taking them into the program even younger at the London board of education and other school boards across Ontario.

I would like now to talk about the concerns of Fanshawe College and other colleges. The administration at that particular college is most supportive and congratulates the member on this resolution this morning. They do however remind us—and certainly I can speak quite openly about this as the critic for Colleges and Universities, Skills Development and Education—that when one is looking for programs in our society, one has to provide the support to the universities and the institutions that are providing those kinds of programs, as we talk about training interpreters today and as we talk about the kinds of intervention services that are so necessary for the deaf and the deaf-blind community.

We also have to make certain therefore that we do not—and I know the members of the government will be quick to criticize if I am not careful in my choice of words. There are many services that the public of Ontario are most happy to pay for and they tell us about them, but they want those services delivered efficiently and effectively. No one knows better than the members of the government how much more efficient we ought to be. I think it is up to every single member of this House to take a look at waste in government and places where we can improve the quality of service so that, at the same time, we are not making this particular program look like an add-on but like something that should be part of the services that are provided now. I know if we take a look at our priorities, we do not

have to add additional funding; we have to transfer funding from one program to another. This one should have always been there, in my view. I think we can find the money to do it, so for those who want to be critical, I can say right now I know it is there, and if anybody would take my good advice from time to time, I will find it for him.

At the same time, I think it is very important and I really would like to read a letter that was sent from the University of Western Ontario, because all of us go back to our home communities, and my two colleagues from London this afternoon, I am sure, would do the same thing. I think we are a particularly good team in that we help each other around resolutions, and when I have the opportunity to speak, I hear from them, the member for London South and the member for London Centre.

But today I would like to put on the record one of the notes from Dr Daniel Ling, because he speaks on behalf of certainly his own faculty, which is the applied health sciences at Elborn College. If the member for York East has not been there, I invite him today. They have done a wonderful expansion. They are dealing with small babies. They are looking at transplants, wonderful technology and opportunities for families today that were not available in the past, so we are looking at many ways of dealing with the issue that we talk about today.

Dr Ling says: "It is important at the outset to define the terms used in this resolution. Intervenors are interpreters who work as helpers for deaf-blind persons, whereas interpreters are required for all hearing-impaired people who are unable to understand discourse without the provision of sign language or lip-reading cues provided by another person." It gives us an opportunity to make those distinctions.

He also says: "Because the degree of hearing impairment varies widely among both children and adults no one method of educational instruction or type of interpretation can meet the needs of all hearing-impaired people. Accordingly, Mr Malkowski's resolution should be modified to recognize this." I am going to send this brief to the member for York East so that he can include these concerns from a very widely known educator, Dr Daniel Ling from the University of Western Ontario.

He says: "Unfortunately, adults cannot learn as well as children to interpret the information modern speech technology can provide. However, deaf adults can not only benefit from sign language and oral interpreting, they can also be helped by real-time written translation services that technology can currently help us provide."

I would hope that this study goes to the University of Western Ontario and takes a look at that wonderful new facility we have and that the member for York East will give me his viewpoints and tell me how I can help in my role as an opposition member, because from time to time we can stand up and help the member for York East along in the work he wants to have done.

At the same time, I would like to be kept informed of what is happening with the committee. I would also like to say I do hope we do not lose the good work that has gone on before—and I will close with this—the review of Ontario post-secondary education for deaf and hard-of-hearing students, as we take advantage of this opportunity to

move about Ontario, to have hearings, to talk about all aspects of training and the need that the member for York East has talked about.

It has been a pleasure to stand here this morning and to take so much time to talk about something I feel so strongly about. I would like to congratulate the member for York East, to say it is a pleasure to have him here and we look forward to his future leadership.

1040

Mrs Haslam: Unlike my colleague across the floor, I am not going to be able to talk for the full 15 minutes. We have many speakers over here and I am afraid my time allotment is not going to be that long, but I would like to talk today about intervention.

What is intervention? The Canadian National Society of the Deaf-Blind defines it as, "The provision of a professional service, paid or voluntary, to facilitate the interaction of a deaf-blind person with his environment."

I would like members to think for a minute about the term "deaf-blind." There are approximately 600 adults in Ontario who are designated deaf-blind and only eight full-time intervenors.

Being a teacher, I am going to ask members to kind of bear with me and I am going to give them a scenario. I would like all members to close their eyes right now. Members should just close their eyes. I would like all members now to stop doing whatever they are doing, no turning pages, no writing, no talking, no noise. Imagine living like this. Imagine living in a darkened room with no sound whatsoever.

Think about it. You are not unintelligent. You wish to live an active life. You wish to participate and engage in leisure activities. You wish to learn, but without access to information, these wishes cannot come true. How would you cope? How would you go to school?

I have a letter from a constituent of mine, certain parts of which I would like to share with members. It says:

"Dear Ms Haslam:

"I am the parent of a 20-year-old multisensory-deprived person who has been both deaf and blind from birth. Presently my daughter is attending the W. Ross Macdonald School in Brantford. The school provides an excellent program and she has displayed a steady progression in both communication and living skills through the years.

"In order to interpret her world and to carry on the necessary living skills, she needs constant intervention. Intervention is a facility to ensure that multisensory-deprived persons have access to information and are able to pursue educational, vocational, avocational and social goals.

"At present, the school provides intervention through the week and her family becomes her intervenor on the weekend.

"She is now of school-leaving age. She will graduate in June. If there is no program which can adequately meet her needs, the only choice for her mother and I will be to keep her at home and hire a full-time intervenor, which we cannot afford, or institutionalize her in a total-care setting. Institutionalization would cause definite regression in all

areas which we and the school have worked very intently to develop."

We here use our eyes and our ears 24 hours a day. With intervenors and volunteers, people have the opportunity for only six hours of interaction and intervention.

There are various communication methods. One of them is POP, where you spell into the hand of the person you are working for as an intervenor, and that is not easy. Imagine spelling every single word that someone is saying. But for the deaf-blind, this is a common method of communication in the community and, as in the movie about Helen Keller, they must learn this skill, they must be literate.

Intervenors also provide a link between the deaf-blind person and others. They provide instruction in the areas of mobility, communication, life skills like shopping and cooking, support for recreation activities and, also very important, counselling.

As the member for York East mentioned, it is not unusual for children to act as interpreters for their parents, even children eight years of age and even in a court system. When people require professional intervention, it is important that those intervenors have the skills necessary, because the decisions made will affect their lives.

Assessments are sometimes made, just as the member for York East has mentioned with regard to a deaf-blind person, being a slow learner, addressed as a slow learner or learning-disabled. It is not their incapacity to learn; it is their lack of access to learning facilities.

I am aware of a new course that is starting. George Brown College in Toronto has an intervenor training program that is opening in September 1991. It is a two-year certificate course, the first of its kind in the world. These courses are very important. With a properly trained intervenor, the deaf-blind individual could gain access to higher education. Through teaching and facilitation, deaf-blind people would be able to have independence. This is what intervention is all about.

Mr Ruprecht: The presence here today of so many members of the deaf-blind community and others shows their commitment to this resolution. I wish to thank the member for York East for this resolution, as it takes a significant step in the struggle to ensure that members of disabled communities will take their rightful place in terms of integration into our society at all levels.

I am reminded that not too long ago the previous Liberal government, of which I was a member, introduced the resolution by the United Nations proclaiming the Decade for Disabled Persons. The decade actually began in 1983. When we took office in 1985, it was Premier Peterson who decided at that time, along with our cabinet colleagues, that it was important to establish an Office for Disabled Persons. We did that in 1985. As soon as the decision was made to come up with a plan to follow suit with this decision, the United Nations declaration was proclaimed and I had the distinct honour at that time to become Ontario's first minister responsible for disabled persons.

We were conscious then, as soon as we declared the decade in 1985, that within the proclamation was a certain set of principles that could be shown to the people of

Ontario, including disabled communities. They would then have some guidelines by which the government of the day and this government could be held accountable for their actions. We were conscious of that.

I think that today, whether it is this government or the previous government, we will be held accountable for this resolution and for other resolutions that will no doubt follow, because it is only fair and just for those members of the disabled communities and others to take their rightful place in the economic and social structure of this country and province.

What are these principles? One of course, the big one, is the principle of dignity and independence. The question would then be asked, because it is the proclamation of the Decade of Disabled Persons, what is this government or future governments or previous governments doing to ensure that there is dignity and independence for disabled persons? What about the question and principle of equal rights? What are we doing as a government to ensure that everyone has equal rights? What are we doing as a government to ensure that there are enough processes of integrating or mechanisms or possibilities of integration being established so that every person may be able to contribute the best way, according to his ability, to the progress and future of this province?

1050

It becomes very clear that the member for York East and his resolution be supported today and that the task force he is asking for, the intervenor and interpreter services task force, be established as soon as possible. We in this House have already indicated our support. I see no disagreement either from our colleagues to our left or our colleagues from this government. There are no persons who will speak in opposition to this task force.

The point will then be made, how soon will this government be able to implement the task force and implement the consequent recommendations that must be flowing from this task force? The responsibility then will be how quickly can the government act and what will it do once the recommendations come out?

In closing, let me congratulate the member for York East and congratulate those who are present here today, because their presence is an indication that they do wish to participate fully in the life of this province and what this province has to offer.

Mr Martin: At this time in our history, as we focus so sharply on questions of Confederation and who we are as a country, I think it is important to look at what we value. If we value actually a healthy, productive, prosperous community and if that is the ideal that all of us aspire to, then we need to listen to all sorts of people as they tell us what it is they need in order to be able to participate fully in the process of this great country evolving and reaching its potential.

My experience with the select committee on Ontario in Confederation as it went through northern Ontario certainly spoke volumes about that whole issue, particularly where it affected the folks whom we speak to today most directly, the deaf community in Ontario. The deaf community

in Ontario is represented here. We must listen to them very seriously and take into consideration all that they are telling us and do whatever we can within our power to make sure we put in place those things that they see as essential so that they might reach their potential and participate fully in the society in which they live.

They have gathered here today in large numbers in this chamber. There is a group on its way from Belleville which got hung up in the truckers' demonstration in the province. They have actually abandoned their bus and are catching the GO train from Ajax to be here for the vote at 12 o'clock.

I have about 50 letters here this morning from folks in my own community of Sault Ste Marie, supporting the resolution that the member for York East has presented to us in the chamber this morning. We must not and cannot refuse to listen to this voice. The ability to communicate in their own native language seems to me, as I read the resolution, the key issue here. They are telling us that their native language is American sign language.

What do we value as a country, as a province? If it is people we value and we see people as valuable and want to maximize their potential, then we cannot but move quickly to pass this resolution and move it to a stage of legislation which will allow the folks who are here today and out there across the province to simply want to take their place, as was so ably presented to me at a function I was at recently where we were talking about providing opportunity for the teaching of ASL as a teachable subject. We so often get up hung up on names and language. They mentioned the words "differently abled," and all of us in Ontario today, regardless of our assets or our liabilities, are differently abled. Let's get on with making sure that all of us can participate fully.

Mr Beer: It is a pleasure for me to rise in support of our colleague's resolution today. In the time available to me I would like to look at this motion from three perspectives: personal; some comments on the francophone element of this motion; and, finally, a few comments on the principles that I believe should be involved in carrying out the work of the task force.

I think it is important for those of us who have our hearing and our eyesight to try to look at an issue such as this at times from a personal perspective. I want to share with members part of the journey that I have taken in trying to understand better the needs of the hearing-impaired, of the deaf and the deaf-blind community. I want to refer to several members of my own family, an uncle and aunt of my wife, Gaines and Emma Fawcett. Emma is still alive, living in Brampton.

Gaines and Emma lived very full, vigorous lives. They were both deaf, but that never stopped them from traveling around the world, from living life, as they say, with full vigour. Yet when I look at all of the elements in this resolution, I know that along the way there had to be many obstacles that they faced because the playing field was not an equal one, ways in which the kind of changes that Richard Johnston's bill brought before us in the past few years and that the motion which the member for York East has now brought before us would help not to change the spirit

of their lives but to provide them with the help and assistance that at times they required. I think it is very important that we look at it in that respect, because what we are trying to do is to make sure that the access to the kinds of services in fact becomes a reality.

I look at the lives of Gaines and Emma Fawcett and I then think of a much younger person, the daughter of one of my cousins, Melinda Riddle, who is completing this year the preliminary year at Gallaudet University in Washington. She, like Gaines and Emma, is a person of tremendous determination. There is just no question in the world that she will succeed at whatever she decides to do.

But what is exciting, I think, at this point in time, when we look at the changes that are going on in our own country, the United States and other countries is that in fact there will be a more equal playing field and that there will be the kinds of services and programs that we like to see, which will really be of direct assistance. I wish for Melinda no less the spirit and determination that Gaines and Emma have demonstrated throughout their lives, but now and in the future that there will be in all aspects of our lives more support for those who are deaf.

J'aimerais souligner aussi l'importance de cette motion pour les francophones sourds et aveugles de notre province, parce que des fois nous oublions l'importance d'assurer les services et les programmes tant pour les francophones que pour les anglophones. Je sais fort bien qu'on va assurer ces services, mais il est très important, ce matin, de souligner ce point.

Finally there is the question of choice, because it seems to me that when we are dealing with services and programs for the disabled we want to create a society in which there is choice, so that we can have the development of ASL and LSQ and at the same time recognize concerns of parents about other kinds of programs and other kinds of support and help that they feel they want for their own families. It is important that we allow that choice. We in the hearing community must be sensitive to the kind of cultural dimensions of the deaf community in particular and to recognize the importance of ASL within that.

It has been a pleasure for me to rise in support of this motion, because I know it will do much for so many people in our province.

1100

Mr Silipo: I am pleased to have the opportunity to rise, however briefly, to add my voice of support to the resolution presented this morning by the member for York East.

Because many people have spoken about the merits of the resolution, I want to simply underline my support for the resolution on the merits and to underscore the need for us to undertake the kind of fundamental assessment of the various provincial policies and practices relating to intervention services and sign language interpreting services and the many other points the member for York East has raised for us in the resolution.

I think the detail of the resolution speaks volumes to the kind of tenacity and thoroughness those of us who have had the opportunity to work with the member for

York East have become accustomed to seeing. Certainly, having worked with him on the select committee on Ontario in Confederation, I know full well that tenacity and thoroughness of his dedication to this issue and to issues concerning all Ontarians, and am pleased to be able to support the resolution today.

As we travelled the province with our committee, we heard from a number of deaf people and disabled people and individuals in general. I think it is a tribute, therefore, that the kinds of things we heard across the province are expressed to some extent in the resolution that is here before us and also that there are present here this morning so many individuals who are deaf, deaf and blind or with other disabilities. In looking around, I think I have seen at least three different kinds of interpreting going on. That is a fascinating tribute to the kinds of efforts that have been made and very clearly an indication of the kinds of things we as a Legislature need to continue to push to ensure that people all across Ontario, whatever their ability or disability may be, have the same kinds of opportunities to be full participants in our society.

M. Bisson : C'est avec plaisir que je profite de l'occasion de vous parler de cette motion aujourd'hui. Comme l'ont eu d'autres députés, par exemple le député de York-Nord et le député de Willowdale, j'ai eu la chance de travailler avec le député de York-Est durant les audiences publiques concernant la constitution tenues au mois de février dernier.

Ce qui m'a frappé pendant le temps de toute cette présentation qu'on a vue, en plus de l'expérience de travailler avec le député de York-Est, c'était la question sur les services qui sont offerts — ou pas offerts, devrais-je dire. On était à Kenora, je pense, ou à Sioux Lookout, où on a rencontré un monsieur sourd et muet qui demeure dans la région nord-ouest de la province. Parmi ses confrères et consoeurs qui ont des problèmes avec leur ouïe dans la communauté, personne ne parle. Dans toute sa région, il n'y a personne dans le coin qu'il connaisse avec qui il peut communiquer parce qu'il n'y a personne qui connaît ni la langue des signes québécois ni l'American sign language. Ça fait sept ans, depuis qu'il y demeure, qu'il n'avait parlé à personne. La première personne à qui il avait parlé dans sept ans, c'était le député de York-Est pendant nos audiences publiques.

Je me demande comment ça doit être difficile dans une situation semblable de n'avoir personne à qui on peut parler, personne à qui on peut donner nos expériences, personne avec qui on peut communiquer quand on a un problème ou développer une vie communautaire dans notre société.

À part le manque de services dans cette province et dans le pays en général, ceux qui sont sourds et muets n'ont pas la chance d'utiliser le langage, souvent parce qu'il n'y a pas les services en place à travers les systèmes éducatifs ou à travers les services sociaux.

Un point qu'il faut se rappeler qui est très important, c'est qu'il faut donner un peu le contrôle de ce qui se passe avec les services à ceux qui se trouvent dans la communauté elle-même. Si on regarde dans l'éducation pour les

interprètes soit de la LSQ ou l'ASL, c'est très important que ceux dans la communauté sont capables de donner ce que eux croient être important pour mener les services eux-mêmes.

Je voudrais que le monde appuie le projet de loi, mais l'important c'est qu'on se rappelle la question de donner à ceux dans la communauté elle-même non seulement de l'input, mais la gérance de leur système d'éducation et la gérance du curriculum nécessaire pour développer les fonctions.

Mr Malkowski: I would like to respond to a few of the comments made by the members. The member for Scarborough North was very helpful in helping us pass Bill 112, and I think there is still some unfinished business for us to do. I would also like to agree with the member for London North. I certainly invite her to be involved in work with the committee and would be happy to get her consultation. I am sure it would be helpful if Dr Ling sent me that letter of invitation. I would be happy to come and take a look at his program and look forward to working with all of them. I think it is also important that we include all options, including auditory-verbal training, ASL, LSQ and so on and that all options be available as well as live-time captioning.

I was very impressed with many of the members, for example the members for Perth, Cochrane South and Dovercourt, who spoke about their own personal experiences, which were very inspiring. I think it has helped us in the whole education process. I also think it is important that we do look at independence and dignity, as was mentioned, and that this is critical. It is important that all of us support the resolution and that the Ministry of Colleges and Universities moves ahead with this resolution and the recommendations that come from it and that we hear from them by 31 October.

In closing, I would like to thank all of the deaf people, hard-of-hearing people, deafened people and deaf-blind people who have come out today with the services that have been provided. It is great to see that you are able to access the political arena. I want to thank particularly Bob Rumball Association of the Deaf, Bob Rumball Centre of the Deaf, Canadian Deafened Persons Association, Canadian Hard of Hearing Association, Canadian Hearing Society, the Canadian National Society of the Deaf-Blind, Ontario Association of the Deaf, Ontario Deaf Sports Association, Ontario Cultural Society of the Deaf, Sheridan College, St Clair College, Ontario Association of Sign Language Interpreters and all the people who gave their support to this resolution.

1110

HIGHWAY TRAFFIC AMENDMENT ACT (VOLUNTEER FIRE FIGHTERS), 1991

LOI DE 1991 MODIFIANT LE CODE DE LA ROUTE (POMPIERS AUXILIAIRES)

Mrs Fawcett moved second reading of Bill 87, An Act to amend the Highway Traffic Act with respect to Volunteer Fire Fighters.

M^{me} Fawcett propose la deuxième lecture du projet de loi 87, Loi modifiant le Code de la route relativement aux pompiers auxiliaires.

Mrs Fawcett: I am pleased today to be announcing the second reading of Bill 87, which would grant to volunteer firefighters in Ontario the right to have their own designated licence plates. Firefighters on two separate occasions have spoken to me about a conference they attended where they learned that in several states volunteer firefighters receive a distinctive licence plate which designates that they are firefighters. This was effective in assisting them in arriving at the scene of the emergency as quickly as possible. This of course reduces the response time, resulting in the possibility of more lives being saved and less damage done.

When I served on municipal council in the village of Colborne, I was appointed council liaison to the fire department. In that capacity, I learned just how valuable this group of volunteers is in its respective communities. I also came to realize how little we show our appreciation to these brave men and women who risk their lives whenever that familiar fire siren goes off. I believe strongly that granting them their own designated licence plates is the least we can do to assist them in doing their jobs better, and also just plain to give them the recognition they so justly deserve.

Volunteer firefighters play a vital and important role in Ontario's firefighting service. The facts speak for themselves. The province has 656 fire departments and almost 80% are fully staffed by volunteers. Numerically, volunteers are the backbone of Ontario and Canadian firefighting services and outnumber career personnel by about four to one. They are essential to the provision of firefighting forces in towns, villages and rural areas and to some extent in urban centres.

Whether they are called to service by the age-old siren or the modern portable pager, these dedicated people very often put themselves at risk for the safety of others. In rural Ontario it always means travelling either to the fire directly in their own vehicles or driving their vehicles to the firehall. If the public at large can recognize these men and women in some manner, for instance, by a special licence plate, this will mean a faster job done. Cost savings to small municipalities are tremendous.

Consider this: Full-time firefighters are four times as expensive as volunteers, and fire protection costs per resident decrease as the percentage of volunteers increases. Furthermore, as a percentage of the total municipal revenue, financing a fire department may be as high as 10% for career staff departments, compared to only 1.2% for voluntary departments. As well, home owners' insurance rates are lower in areas protected by their own fire departments. In rural areas this is of the greatest significance, since fire departments would not exist if not for the volunteer firefighters. There is no doubt that the estimated 16,000 part-time firefighters who provide fire protection services to rural communities on a volunteer basis form the backbone of Ontario's firefighting service. These dedicated men and women deserve our recognition.

A dramatic example of their dedication and value to society was more than evident during the tire fire at Hagersville. Volunteer firefighters from 11 departments across Haldimand-Norfolk region, more than 600 altogether, left their jobs, families and warm beds to fight the monster blaze that would not quit. In the end it was the firefighters who would not quit and the monster was slain.

Of times I have been on the main street of the village of Colborne when that familiar wail of the fire siren sounded. Because Highway 2 goes through the village, there is always a moderate flow of traffic. On occasion I have attempted to pick out volunteer cars trying to make it to the firehall to do their duty, but it is very difficult. A designated licence plate would indeed be a start in this recognition process.

The dedicated volunteer firefighter is an inspiration to us all. He or she gives up evenings and weekends to train, and of course in this province often has to turn out in subzero weather to help his or her neighbours. They know the importance of keeping up to date with the challenges of this ever-changing technological world. Aside from extensive formal education at the Ontario Fire College in Gravenhurst, in which they pass the same exams and practical tests as full-time firefighters, volunteers spend many personal hours attending mutual aid meetings and other information sessions.

A mutual aid system operates across the province on a county, district or regional basis. In my riding of Northumberland alone there are 14 fire departments which have made a mutual assistance agreement. They include the departments in the municipalities of Harwood, Hope township, Baltimore, Bewdley, Cobourg, Port Hope, Colborne, Campbellford, Brighton, Murray township, Hastings, Roseneath, Warkworth and the Canadian Forces Base in Trenton.

By combining forces, firefighters not only can go to the assistance of a neighbouring community in the time of emergency, but they also combine funds for more frequent and less costly educational workshops. This ensures that up-to-date techniques and methods are relayed to all members in a region and that there is a standardized degree of skill and knowledge between departments.

Volunteer departments in the 1990s have many more demands and expectations placed on them today. For departments near major highways, members respond to as many highway accidents as structural fires. They are responsible not only for cleaning up fuel, but for freeing victims from the wreckage. Volunteer firefighters are also being trained to handle chemical spills, hazardous waste and are even being given paramedic-type training to respond to medical emergencies.

For these reasons I believe it is important that if at all possible, a car belonging to a volunteer firefighter should never be blocked in. This can happen at a community event that a volunteer might be attending, for example. It is no one's fault that he might be blocked in, because how does the public distinguish the cars? With a specialized licence plate, this kind of problem might be eased somewhat and response time cut down significantly. Also, just

knowing that someone qualified in CPR, etc, is in the area can save a life in a drowning or a heart problem, for instance.

All firefighters, no matter where they are located, know that response time to a disaster is a key factor. Most volunteer departments are in rural communities and are continually trying to achieve the five-minute response time. The fact remains that most of the damage in a fire and other emergencies does happen in those first five minutes. Thus speed is of the essence.

However, as the law stands today, every time volunteer firefighters drive to a scene of emergency, they risk losing their personal driver's licence. The public expects and demands emergency help to arrive at the scene as quickly as possible, yet thousands of volunteer firefighters, skilled in a vast area of ways from performing CPR to dealing with chemical spills, are hampered from getting to where they are most needed. I believe we have to help here, and this bill could be a start.

It is critical that the public is aware of who these volunteers are when very often they are trying to rush through a crowd to a disaster scene. This way the authorities already on the scene can facilitate the volunteer's swift passage to where he or she is needed. Just cutting a few minutes in response time can make a difference between life and death. The cost of implementing this amendment would not be significant, but the result, more lives and property saved, certainly is.

I do not wish to infringe upon the jurisdiction of the Ministry of Transportation by dictating specifications of a special licence plate or the combination, let's say, of a plate and a flashing light. This is for the ministry to decide. However, one may consider an example used in the United States. In several states, the plate has a white background with red letters and a Maltese cross, the international symbol for firefighters.

Currently, this legislation to assist volunteer firefighters in their job is in place in 14 states. Similar legislation is strongly being considered in Nova Scotia and a number of maritime provinces. Furthermore, British Columbia and Quebec may consider this bill as a model for their own legislation, since their volunteer firefighters play a very large part in their firefighting service.

I am sure that every member of this House recognizes the value of volunteer firefighters. Changing lifestyles and social attitudes coupled with the increasing dangers and risk of liability are eroding the availability of this vital component of the fire protection picture.

I feel confident that each and every member can recognize the advantages of Bill 87. It is not complicated, nor is it a costly proposal. Similar legislation is in place throughout North America and has proven to be effective. Surely every member is interested in encouraging and assisting these wonderful men and women, volunteer firefighters, in their efforts to save homes, lives and property. I would very much appreciate members' support for this bill.

Mr McLean: I welcome this opportunity to make a few brief comments about this private member's bill, Bill 87, An Act to amend the Highway Traffic Act with respect to Volunteer Fire Fighters.

The purpose of this bill is to authorize the issuance of special licence plates to motor vehicle owners or lessees who are volunteer firefighters. This plate would clearly indicate that the vehicle belongs to a volunteer firefighter.

Citizens in the small municipalities of Ontario rely on volunteer firefighting staff for the provision of the fire protection services that we supply in this province. These volunteers are usually on call 24 hours a day, seven days a week, and they give up their evenings and weekends to take courses necessary for upgrading their skills and knowledge of firefighting practices.

I have no problem with issuing special licence plates to our volunteer firefighters if it results in a quicker response to the scene of a blaze and if it permits them to park in areas close to the scene where parking is usually prohibited. This would then identify that they are volunteers.

While we are considering this bill today, we should also be giving some thought to a bill that I have in Orders and Notices, and it is one that regulates fire alarms. When that bill comes before the House for second reading, I hope that people in this Legislature will realize the importance of that bill as well as the one we are dealing with today. That bill also involves volunteer firefighters and people from the police department. When we are looking at the problems we have today with the emergency reaction we need, my bill would cut down on some of these false alarms.

1120

Today, it costs the fire department in Orillia \$500 for a false alarm. Those prices are staggering when you realize they could be avoided if the equipment were used properly. The most common situations involve employees inadvertently triggering an alarm at their place of business. While debating this bill here today, we should also be giving serious consideration to my private member's bill as a bill compatible with this one, because of the seriousness of the fire departments and their responses.

We have more than 16,000 volunteer firefighters in Ontario. I remember a while back there was a request that there be a light to identify them on the way to a fire, which never got to first base, so to speak. I do believe identifying licence plates would be used appropriately and properly. If they were not, there would be some provision for stiff penalties for those volunteers who did not use them properly.

I notice in the bill, with regard to the volunteer fire fighters getting the licence plate, there is also provision that, "A person to whom a number plate has been issued under subsection (3f) shall return to the plate to the ministry forthwith upon ceasing to be a volunteer fire fighter under the Fire Departments Act." I think that is appropriate, because there is a turnover of volunteer firefighters. That section I certainly agree with. When they are no longer involved as volunteers, that plate should be reverted back in.

Simcoe County Mutual Aid is an organization that co-ordinates across the county the volunteer firefighters. It is an organization that sets up training periods and makes sure the numbers of volunteers are appropriate. The municipality of which I was at one time reeve had 88 volun-

teers in that one municipality alone, so when you look across the province as a whole, the numbers are staggering.

When emergency vehicles respond to highway accidents and the calls, our volunteer firefighters also are called to those accidents, in most cases on our major highways. There is an important aspect here of Bill 87, and that has to do with the incentive we could give to the volunteers.

I support in principle private member's Bill 87, An Act to amend the Highway Traffic Act with respect to Volunteer Fire Fighters, but at the same time I believe there is a very real need for legislation like my private member's bill with regard to the false alarms. Members can stay tuned for that and we will relate that at another time.

We owe it to our police, ambulance and fire officials to give this bill a speedy passage, and I will be supporting the bill here in this Legislature today. Madam Speaker, thank you for the opportunity to say a few words.

Mr Dadamo: I would like to respond to Bill 87 this morning, an act amending the Highway Traffic Act, which is currently being introduced by the member for Northumberland and is also slated for second reading.

Let me say at the outset that I commend the member with regard to this bill. Its purpose, as I see it, is to authorize the issuance of special licence plates to motor vehicle owners or leasers who are volunteer firefighters in order to ensure that such vehicles are readily identifiable while responding to an emergency. It would also serve to recognize the important contribution these men and women make to their communities and to underline their own commitment to public safety in the province of Ontario.

The duties of volunteer firefighters are onerous. They must undergo extensive training and must be prepared to respond to all kinds of emergencies, not just fires. They are trained in CPR, chemical spills and, of course, other emergency situations.

These firefighters give enormous amounts of their personal time to community service. By way of example, they respond in the middle of the night, many times on a moment's notice.

The Ministry of Transportation does not currently have a specialized licence plate series for personal vehicles that are owned or leased by employees or volunteers of any emergency response agency in the province. This includes full-time municipal firefighters, ambulance attendants and, of course, police. Under the existing system, municipal fire department vehicles are registered under the regular commercial series.

The issuance of a special plate series to identify personal vehicles owned or leased by volunteer firefighters would require changes to public awareness programs, law enforcement awareness materials and our vehicle registration system in Ontario. None of these problems, however, is insurmountable, and they pale beside the necessity of this kind of designation of these vehicles when they are responding to an emergency situation.

The majority of damage caused by fire occurs in the first five minutes. The first five minutes is the critical point, the point at which someone's home will be saved or lost. Because of this fact, we cannot underestimate the importance of a firefighter's ability to respond quickly to

an emergency situation where people's lives and properties are at stake.

Some people may express concerns that a special licence plate will be in fact a licence to speed. I do not believe that for one moment. The men and women in this province who dedicate themselves to this important community work are doing so because they are concerned about safety and because they care about the lives of their neighbours. I cannot believe it is possible that people who are spending large amounts of their personal time in training and working to save lives and property would do so only in order to drive faster.

In view of these facts, I want to offer my support of this bill in principle and urge the other members of my party to support it as well, recognizing that we will need to explore implementation issues. Of course we will be consulting with firefighters in Ontario in order to explore this bill further.

1130

Mr Offer: Let me say what a pleasure and in fact honour it is for me to partake in this debate on a very important piece of legislation by the member for Northumberland. I speak very much in favour of the legislation.

I believe this is a piece of legislation whose time has really come. It is a piece of legislation that embraces the issue of recognition for those many thousands of individuals who take it upon themselves to act as volunteer firefighters. You know, Madam Speaker, the member has well indicated the incredible number of individuals who do take this as their goal and job.

There are many examples of heroism, of courage, by volunteer firefighters. I believe this designation on the licence plate is one which is necessary not only for recognition purposes, but indeed for safety purposes, because it sends out a message when an individual's licence would be so designated, a message to the public that this individual is a volunteer firefighter and is attempting as best he or she can to go either to the fire station or directly to the place where the emergency is called for.

I believe it is a message which the public wants to hear and a licence plate designation is one which would permit that. It would result in a better response time, it would enhance safety and it would make the job, the role, the task, the duty of the volunteer firefighter just that much easier—not easy by any stretch of the imagination, but a little less onerous.

Many examples are in existence of the volunteer firefighters. The honourable member for Northumberland has already indicated the many hundreds of individuals who took part in the Hagersville tire fire—the largest tire fire in North American history—and that was, in large measure, put out in a very few days, against all odds, and it was their determination which permitted that to happen.

The volunteer firefighting service is one which has a very storied past. Two or three weeks ago I had occasion to convey a plaque of appreciation to two individuals who reside in my riding, Kirby Burns and Norman Russell, who were members of what was then the Streetsville fire department, which was a volunteer organization and had

been since 1937. It was a very interesting, informative celebration. There was a luncheon, with plaques provided to those individuals as recipients, and certainly as symbolic of the efforts of so many others who were part of the Streetsville fire department. I was very pleased and honoured to have the opportunity to be with them that afternoon and hear some of the examples of the department in many years as to how they responded to emergencies.

This particular piece of legislation is one which is necessary for its recognition, for its safety, for its response-time improvements. It does not permit those with the licence plate designation to go through red lights or to go through stop signs. It does not permit them to do anything that the normal driver could or cannot do. All it does is send a message to the public that this is a member of the volunteer firefighting service who is currently on some call of some sort, and we all know the variety of calls that can certainly take place.

I have read the piece of legislation and I believe it is very necessary. I hope all members of the Legislature will support this initiative by the member for Northumberland. There should not be a member in this Legislature who is against this particular piece of legislation. Why? Because there are already licence plates with designations on them. The Lieutenant Governor of this province has the designation on the Lieutenant Governor's licence. In fact, many mayors of many municipalities have, as a designation on their licence plates, the word "mayor;" again, a sense of information to the public. There is certainly no member of this Legislature who should be against any designation on his or her licence plate because each member has the opportunity to have "MPP" put on his or her licence. If it is permissible for all members of this Legislature to have the designation "MPP" with a number following, then surely no member of this Legislature should be against volunteer firefighters having on their licence plates a similar form of designation.

It is a piece of legislation whose time has come. It is one which embraces the concepts of safety, response time and recognition, and it is one which promotes volunteer firefighters and the men and women who have served in that association, the many Kirby Burnses and Norman Russells of my riding and the Streetsville fire department who have given so many years of their time and service to make this place and this province a safer place for all others. I support this legislation wholeheartedly. I commend it to all other members.

Mr Arnott: I am very pleased to have the opportunity to rise and speak for a few minutes on Bill 87, An Act to amend the Highway Traffic Act with respect to Volunteer Fire Fighters, and I am pleased to congratulate the member for Northumberland on her excellent initiative.

The purpose of the bill, as I see it, is to authorize the issuance of special licence plates to motor vehicle owners or lessees who are volunteer firefighters. The plate would indicate that the vehicle belongs to a volunteer firefighter.

The way I look at this bill, when I immediately started to read it and tried to decide what the implications were, I see it as an issue of recognition for our volunteer firefighters. In my riding, in Wellington, rural Ontario, we rely

greatly on our volunteer firefighters. We could not do without them. The member for Northumberland talked about the cost-effectiveness of having a volunteer fire department over a professional one—I should not say professional, but a full-time, paid one. Certainly the volunteer firefighters are as professional as we can get. We need that cost-effectiveness in rural Ontario. The province of Ontario has to support our volunteer fire departments so that they can have the resources to adequately do the job which they are doing at the present time.

The professionalism of our volunteer firefighters is absolutely wonderful and I think, as the member for Mississauga North indicated, we in this Legislature should have a good understanding of how the volunteer firefighters have to operate. As we have the option to have our own designated licence plate, like the volunteer firefighters, we are on call 24 hours a day, seven days a week, and I think that we understand as well as anyone the public service commitment that often requires to be called out of bed in the middle of the night or whatever. I think we should be conscious of that, and we should be willing to recognize the firefighters in any way we can and thank them in any way we can.

There were some questions that came to my mind when I started perusing the bill. I wondered if perhaps a flashing light on the dash of the car might be a good idea as well in terms of recognition. If members can imagine a firefighter having to race to the scene of a fire or race to his fire department office to get on his truck, if he had any assistance to better enable the cars around him to recognize that he was in a hurry, I think that would be a plus and hence something that should be explored. I also think that if members look at other professions and jobs that require emergency response—physicians come to mind immediately, police officers on an off-duty basis perhaps, ambulance workers—many of them require an immediate, urgent response, and time is very much of the essence. So we should probably consider those groups as well if we are talking about giving designated plates for volunteer firefighters.

I was pleased to hear the comments from the member for Windsor-Sandwich and his indication of support, because I think that holds a lot of sway on that side of the government. I am very pleased to hear that the Ministry of Transportation will take a receptive view to this bill, because I know that in my riding there are fire departments that have had concerns about policies coming from the Ministry of Transportation.

Most recently, I received a letter from Fire Chief A.G. Slade of the Puslinch volunteer fire department, one of the busiest and most professional departments in my riding. They have an additional obligation, having to respond often to accidents on the 401, which bisects Puslinch township, if there is an accident there. Because of the fact that the present government is not giving adequate police resources in the south part of my riding, and the undermanning problem we have in the Guelph area and the south and east of the riding, the fire department is asked, and obligated, to respond often to police calls, unfortunately, because we do not have enough police resources.

1140

But on another issue that is affecting the Puslinch Fire Department, it recently received a letter from the Ministry of Transportation, dated 15 March, from the head of program administration and evaluation, which indicates that the ministry wants some sort of change which will affect my fire department in Puslinch. It states in the letter:

"It has recently come to my attention that the authority to certify the competency of drivers associated with the Wellington County Mutual Aid has been granted several years ago. This practice contradicts the policies and procedures governing the driver certification program in that: (1) drivers are not employees of the named recognized authority and, (2) the named recognized authority official has insufficient control over each fire department to ensure the integrity of the delivery of initial and ongoing training."

I spoke to Fire Chief Slade on this and I certainly agree with his response to this letter which is that the existing system for training firefighters in Wellington county, as sponsored by Wellington County Mutual Aid, is very satisfactory and in fact safer than what the ministry is proposing.

In response to this letter, I got together with Chief Slade and we worked together and responded to the minister about two weeks ago, indicating our concern about the ministry's initiative to change the existing system in Wellington county. We feel in Wellington county that Captain Don McCrone from Guelph has been very important in ensuring a very safe measure of operation of fire vehicles in Wellington county and that any initiative from Queen's Park that will prevent him from being able to offer his advice and assistance, which he does, again, after hours, on the weekends—he makes himself available to all the fire departments in the county that require his advice and his counsel—far better I think than the system the ministry may be suggesting.

So I feel very strongly about this and I hope that the Ministry of Transportation and the minister specifically—I see him in the House at the moment—will respond to our concerns in an appropriate way.

I would like to close by urging all members of this House to support Bill 87. I think it is a very important commonsense initiative, and I hope we will have unanimous support for this bill.

Mr Mills: Thank you very much, Madam Speaker. Unlike my colleague, the member for Simcoe East, I wear glasses, but I recognize your gender from a distance and I am glad you are in the Chair this morning.

I am very pleased to rise and speak in support of this bill this morning on a couple of planks. The member for Northumberland's riding joins mine in Durham East, and we have some services that cross the border of the two ridings: police and, notably perhaps, education. So I am pleased to stand here this morning and speak as the member for Durham East and also as parliamentary assistant to the Solicitor General. We in this House know that the firefighting of the province is under the umbrella of the Solicitor General, but the people who may be watching the proceedings here this morning may not be quite clear about that. The firefighting portion operated by the Solicitor General is under the supervision of a very fine assistant deputy minister.

I appreciate this morning the comments that the member for Northumberland has made on Bill 87, An Act to amend the Highway Traffic Act with respect to Volunteer Fire Fighters, and many of the things she said I concur with. I am not going to waste time repeating them because they are on the record, and the fact that I concur with them is also on the record.

Volunteer firefighters are truly the backbone of public safety in Ontario, and at this point I would just like to make note and read into the record the many fine volunteers that man fire stations in the riding of Durham East. They are to be found in Bethany, Blackstock, Bowmanville, Brooklin, Curtis, Hampton, Janetville, Newcastle Village, Newtonville, where I live in Orono, Oshawa, Pontypool, Port Perry and Whitby, a riding I share with my honourable friend to the left of me.

When one considers that more than 550 fire departments in Ontario are served exclusively by volunteers, one can appreciate how valuable they are to the citizens of Ontario. Also, Madam Speaker, I do not have to remind you of the cost that regular firefighters would add to the bill for the province, when these people do this on a volunteer basis.

We owe these dedicated officials a great deal and we should do whatever we can, not only to recognize their contributions but to facilitate their work and other public safety endeavours. However, as we have heard from the member for Windsor-Sandwich, there are some technical difficulties with this bill, and I for one think we may be opening the door and that every organization may want some sort of specialized licence plates. That is one of the concerns I have. I know, as an ex-member of the military in Canada, there was a drive some years ago that we could have special licence plates to recognize our service to this country, so we know that there are a number of difficulties with this bill.

Last week the Ontario Association of Fire Chiefs passed a resolution at its convention requesting the government to issue special licence plates for volunteer firefighters. However, in making this recommendation they also recognized the number of technical difficulties which would have to be overcome for the effective implementation of this program. There are several options that could be used in this area, such as window stickers, decals and licence plate holders, and I believe these can best be explored in a forum where the views and expertise of all the parties can be obtained.

I heard comments from the member for Simcoe East and the member for Wellington in so far as why we could not do something about lights. I would like to let them know it is my belief that this is under consideration and some discussion at the Ministry of the Solicitor General right now. They may be looking into some alternatives.

In summary, the Solicitor General fully supports the principle and the intent of this legislation as a symbol of recognition of the dedicated service provided by the volunteer firefighters of Ontario and as a symbol of the need to facilitate their efforts to improve the safety of our communities. However, a caution: We need to find a mechanism

to achieve this which is efficient, effective and responsive. I am sure this can be achieved.

On a last note, I heard some comment in the House this morning about the MPPs' licence plates. I believe members can get them and put a number after them. Thankfully, I have not gone that route. I drove Highway 401 last night to a meeting of the good neighbours in my riding, and I was very glad that my licence plate reads, RUBY 88, which indicates that in 1988 my wife and I celebrated our 40th wedding anniversary. On that note, I will close.

1150

Mr Conway: My good friend from Colborne, the member for Northumberland, asked me to speak to this bill, and I thought I would take a few moments to say a few words. My friend from Colborne is a very thoughtful member of the Legislature and she said it very well, I thought, in her opening remarks.

On the question of licence plates, I have spoken over the years quite negatively actually about a subject that has developed in the course of some of this debate. I felt since the day I was elected the whole idea that members of the Legislature or, for that matter, members of Parliament ought to have special licence plates was just at a very minor level quite ridiculous. In fact I think it anticipated a certain dimension of conflict of interest. I have always felt, what is in the community that has an interest in looking at licence plates? Police officers. Why would members of the Legislature want to advertise their special status to members of the police? God knows, I am stopped enough and I am happy to report—

Interjections.

Mr Conway: My friend the member for Durham East said his licence plate is RUBY 88. I think mine is 524 HWZ.

I think my friend the member for Etobicoke-Rexdale might even remember a debate or two years ago when we were talking about some of these questions. I really do feel at a very secondary level that the idea that members of Parliament get the MHC designation and MLAs get the MPP designation should be dispensed with. I repeat that from my point of view there really is only one group of people in the community that has an interest in reading licence plates. I do not think members of Parliament should be advertising their special status to those people, because there is a capacity there for compromise. It has probably not ever happened, but it seems me to that is one designation that should be dispensed with.

In this case, as my friend from Colborne, the member for Northumberland, has stated so eloquently, those of us who particularly represent rural communities—and I doubt that there are any other members of the Legislature who have a constituency more thoroughly rural than mine—appreciate the importance that the volunteer fire services provide to the community.

Just last Saturday I was in the hamlet of Quadeville in the southwest part of the county of Renfrew and on that very happy occasion we were officiating at the opening of the new firehall. The ruggedly rural united townships of Brudenell and Lyndoch in the county of Renfrew have a

very substantial volunteer fire department, which has petitioned me on several occasions over the years about the inadequacy of provincial assistance, particularly for purposes of capital purchases like equipment. We have been through that. My friend from Orono, the member for Durham East, has probably reviewed some of the files himself in his capacity as parliamentary assistant to the Solicitor General.

There are a number of areas, for whatever good or bad reason, where Ontario has not been able to provide assistance to the volunteer fire departments, but certainly this is one area where apparently there is a real desire by the association and by individual members of volunteer fire services for the special licence plate designation. I do not see in this case, as I do in the case earlier mentioned, a problem.

Apparently it is unanimous in the view of the members who have spoken to this debate that we ought to support this. I would recommend that. I think it is a good idea because it would support this very important part of the volunteer community and because the community of volunteer fire departments has made a specific request for consideration.

I simply want to join the members from Wellington, Colborne and Orono and others who have indicated their interest in and support for this resolution by adding my support and by adding again a personal word of comment and commendations for the scores of people in my county of Renfrew, where we have some 36 municipalities, most of which are very rural, all of which I believe are served in one way or another by hundreds of men and women who give enormous amounts of their time, of their financial support and of their energy to ensure that those of us who live in the cottage country or in the small hamlets are well and ably supported by these very excellent volunteer firefighters.

Hon Mr Philip: I just want to rise as the Minister of Transportation and congratulate the member for Northumberland on identifying a real need. I have expressed to her my support for this bill and I have suggested to her that my staff and I are willing to work with her in looking at ways in which we may be able to implement certainly the intent of the bill in perhaps an unbureaucratic, inexpensive way. I am concerned that if we go ahead with it in a certain way, it could be quite expensive, but I am sure we can resolve those problems. I want to congratulate her for bringing it to the attention of the House and to my attention as the minister. My ministry will be working with her to implement the contents of this bill. I give her full credit for it.

I also would be remiss if I did not say that I do agree with some of the comments of the member for Renfrew North. Maybe he and I can convince our colleagues to do something about the concerns he has expressed that I think I have expressed in opposition. Perhaps it is time we look at those concerns as well.

Mr Owens: I would like to take this opportunity to congratulate the member for Northumberland for bringing this bill forward. I think we all realize part of the problem

with being the last or next-to-last speaker is that all the good things have been said, but I think some of them bear repeating.

We recognize that the volunteer fire department is made up of hardworking volunteers, individuals who put their lives at risk for zero pay and for zero benefits. They do not just come out on nice spring evenings; they are there no matter what the weather, no matter what the time of day. We need to recognize these folks in some way. I think the least we can do for them is to make specialized licence plates.

As the parliamentary assistant to the Ministry of Correctional Services, I can say that we need all the job creation programs we can give for the folks who are currently guests in our institutions.

These firefighters are required to participate in extensive training exercises. No longer do we have the days of the bucket brigades where we see in some of the older films, which I of course am too young to remember, the buckets going from hand to hand to put out the fires. Those days are long gone. As the member for Windsor-Sandwich mentioned, volunteer firefighters are now expected to deal with chemical spills, traffic accidents and all sorts of mayhem that we create for ourselves in this society.

In closing, I am glad that our Minister of Transportation will be working closely with the member to implement this program. I congratulate the member once again for bringing this bill to this House.

Mr Perruzza: I think all has been said in this debate that needs to be said with respect to the bill, but I do want to voice an acknowledgement which I think the third party would do well to take. This morning an opposition member brought forward an initiative. That initiative has been embraced by what I can see is an overwhelming majority of our party. The minister has stood in this House as well and has both applauded the initiative and reassured the member of the official opposition that her initiative will be well taken and well received by his ministry.

It shows that there is a level of co-operativeness, of good spirit. There is really good spirit in this House this morning, and I hope it carries on into the debate in the afternoon. I think the Conservatives would do well to take this kind of spirit, this kind of initiative, this kind of compromise into the debate this afternoon and stop the blatant, obstructive grandstanding that they have been carrying on with for the last several days on an initiative that really—

The Acting Speaker (Mrs Haslam): Time. Thank you.

Mrs Fawcett: I really want to express my sincere gratitude to all members in this House this morning for their support of this bill. I believe that volunteer firefighters across this province are very happy to have received all of the accolades that have been given.

I want to thank my two caucus colleagues for their remarks and their fine support. I do want to say a special word of thanks to the minister because it is very special that he has taken the time to come into the House this morning and speak of co-operation, which I certainly will give, in coming to a decision on the kind of designation

that we wish to give these men and women who deserve it. Perhaps too, included in this consultation, would be the firefighters' association, so that we can really come up with something that everyone is happy with.

I want to reiterate that in no way is this a licence to speed, just as several members have said. This is recognition only, recognition that they deserve.

Two of the members, the member for Simcoe East and the member for Wellington, did mention a light. Actually, there is a section right now of the Highway Traffic Act that states that a volunteer firefighter may carry on the left front fender of his motor vehicle an amber and white flashing light showing the letters VFF. Unfortunately, that light is no longer manufactured, so we really need some other method. I quote from a letter of Jerry Candler from the township of Sidney, a fire prevention officer. He said they are using a rotating green light, but I think together we can consult.

Once again, I thank everyone for support in this very important matter.

INTERVENORS AND SIGN LANGUAGE INTERPRETERS

The Acting Speaker: Mr Malkowski has moved resolution 13.

Motion agreed to.

HIGHWAY TRAFFIC AMENDMENT ACT (VOLUNTEER FIRE FIGHTERS), 1991

LOI DE 1991 MODIFIANT LE CODE DE LA ROUTE (POMPIERS AUXILIAIRES)

The Acting Speaker: Mrs Fawcett has moved second reading of Bill 87.

Motion agreed to.

The Acting Speaker: Pursuant to standing order 94(k), the bill is referred to committee of the whole House.

Mr Bisson: Madam Speaker, on a point of order: In regard to the bill, is it supposed to be a committee of the House, not of the whole House?

The Acting Speaker: Your point of order is incorrect. It does go to committee of the whole House.

Mr Jackson: They are killing the bill. You don't want to refer it to a private committee.

The Acting Speaker: That is fine. Thank you.

Hon Mr Philip: My understanding was that members wanted it to go to the standing committee on administration of justice, and I think that is where it should go.

Mr Bisson: On a point of order, Madam Speaker: I was not out of order.

The Acting Speaker: There was no one standing, and until somebody stands, it does go to committee of the whole House.

Shall this bill be referred to the justice committee? All those in favour of this question? Agreed.

Bill ordered for standing committee on administration of justice.

Le projet de loi est déposé au comité permanent de l'administration de la justice.

The House recessed at 12:03.

AFTERNOON SITTING

The House resumed at 1330.

MEMBERS' STATEMENTS

EASTER SEAL RUN/WALKATHON

Mr Beer: On the morning of Sunday 26 May months of planning and years of experience will culminate in the 15th annual Persechini Easter Seal Run/Walkathon.

What started in 1976 as a small group of club members and friends having a bit of a lark has grown into an event requiring hundreds of volunteer workers and involving more than 2,250 participants. As the brainchild of Joe and Rosalia Persechini grows into its third decade, it is difficult to measure its impact. In cold financial terms the event has contributed more than \$660,000 to charity. This year the goal is to raise \$100,000.

In more human terms, the activity translates into a deeper understanding of the work of Easter Seals, a framework within which friendships and community spirit are forged and an opportunity for individuals to make an important contribution. To give special meaning to the 15th anniversary, David Blackwell, the co-chair of the run, has invited back all the Easter Seal Timmys and Tammys.

The annual effort adds up to real dollars being raised for the Easter Seal Society, which supports a variety of work, all of it focused on improving the lot of disabled children and their families. The society is at the forefront of research into the cause, treatment and prevention of paediatric disability, diseases that disable children.

To Joe and Rosalia Persechini, Dave Blackwell and everyone involved, I know we all wish them a most successful 15th run.

TENDERING PROCESS

Mr B. Murdoch: I would like to bring to the attention of this House and the Minister of Health my very real concern with the policy of awarding contracts to companies which import equipment from the United States rather than to those which manufacture their goods in this country at competitive prices.

Edwards, of Owen Sound in my riding, a unit of General Signal Ltd, has been supplying and servicing fire alarm equipment to hospitals in this province for some time. Since the election it has bid on two jobs, one at Oakville-Trafalgar Memorial Hospital and the other at the Kitchener-Waterloo Hospital. On both occasions Edwards bid according to the plans and specifications. This past time, after the bids were opened, the hospital decided to have the successful contractor submit an alternative supplier outside the tendering process, against the wishes of Edwards. Edwards was not allowed to respond to the alternative bid.

In the past it has been inappropriate to consider alternative approaches after the tender process without allowing competitors the opportunity to also reconsider.

Something very peculiar is happening here and I would ask the minister to investigate. Edwards employs 800 people in Ontario and is the only major fire alarm manufacturer to

produce its equipment in Canada. As of today no purchase orders have been submitted, so the situation can still be rectified if the minister moves immediately to do so.

However, should this practice of not allowing fair competition continue without a reasonable explanation, it will mean a severe loss of jobs in my riding and in the province in general. With our economy already suffering, this will—

The Speaker: Thank you.

LABOUR ISSUES

Mr Hayes: I spent 27 years in the auto industry. Over those years I have fought hard representing workers, fighting for decent health and safety legislation, improvements in workers' compensation and wage protection, while the members opposite fought against any of those improvements. I also worked hard against free trade, the GST and high interest rates while the members opposite supported free trade, high interest rates and deregulation of the trucking industry, which all cost tens of thousands of jobs in this country.

It really upsets me when I see politicians—especially the Tories, who are antilabour and have continually suppressed workers in this country—suddenly change their tune and proclaim they are on the side of labour. This is hypocrisy and an insult to me and all my colleagues who have worked hard on behalf of the workers. I am very pleased that we finally have a Minister of Labour, the member for Hamilton East, who cares for workers in this country.

GLOBAL WARMING

Mr McGuinty: The most serious environmental challenge facing us today is the threat of global warming. If unchecked, scientists agree the buildup of greenhouse gases will have its greatest impact on the northernmost countries, such as Canada.

In order to better wrestle with this problem, the previous government struck a select committee on energy, issued a discussion paper on global warming and committed to releasing a white paper in December 1990.

The NDP, prior to the election, made a specific commitment to reducing carbon dioxide emissions. Since the election, we have seen no movement of any kind on the part of this government to address global warming.

But the outside world has not stood still. Germany, New Zealand, the Netherlands, Australia, Japan, Norway, Sweden, the European Community as a whole, Canada, the states of Oregon and New York, and the cities of Toronto and Vancouver have all made specific commitments to reducing carbon dioxide emissions.

Our province has a proud history of being a world leader in terms of environmental and energy initiatives, but we are slipping badly on the global warming front.

Global warming demands a response from this government. Instead, we have only questions. Does this government intend to address global warming and if so, how and when? What about Ontario Hydro, a large contributor to

global warming? What direction will the government be giving to Marc Eliesen, the new chairman, and to Al Holt, the person who I understand will be the new president?

We are tired of asking questions. Global warming demands a response now.

TRUCKING INDUSTRY

Mr Villeneuve: In this government's hurry to provide various benefits, it seems that the only ones missing are those that will help employees remain as employees—the employers who sign the cheques.

This budget has not made it easier for any employers to create jobs or to keep jobs in Ontario. In fact, the opposite is happening. This budget is prolonging the procession.

Glengarry Transport Ltd, for instance, will only survive now if its employees take a 42.5% wage cut over the next three years. That is what high payroll taxes, diesel fuel taxes, tire taxes, income taxes and other taxes have done.

The Treasurer and members opposite should be aware that GTL, Canada's fourth-largest trucking company, was forced into declaring bankruptcy last week. It should come as no surprise that the company found higher taxes and higher costs of doing business in Ontario to be the main reasons for its losses in recent years. GTL has depots in about 19 Ontario and Quebec cities and 800-plus employees. Even though GTL is a major trucking operation, it has retained its head office in Alexandria, my metropolis, since 1948.

I do not want to see Ontario lose more employers like GTL. In fact, I want to see more employers like Glengarry Transport come here to Ontario. Unfortunately, with this government no one is coming to Ontario.

POST-SECONDARY EDUCATION

Mr Bisson: It is with great pride that I have the chance to stand in the House today and to introduce a couple of people to all members present. We have present in the gallery today two fine individuals, one of them being Charles Belanger, who is the president of Laurentian University, as well as Robert Gervais, who is the president of Northern College.

They have been working for a while, I would say, in putting together first-year university programs for the people living in the community of Timmins. As some members might know, university programs are presently not offered in our home community of Timmins, one of the largest communities in northern Ontario not having university programs. Because of the work done by these individuals and other people within our communities, we are now able to go into the position of hopefully being able to offer, starting in this upcoming year, first-year university programs for the people inside the community.

I think the thing we also need to underline with this is that it goes to show what could happen when we get together and decide to work together and do not sit there calling each other names. What we do is get together in partnerships with people from government, from industry, from different sectors, to see what we can do when we put our minds together. What we see today is exactly what can happen when we decide to co-operate and not play games.

1340

NATIONAL CONFERENCE OF CHINESE CANADIANS

Mr Ruprecht: I would like to introduce to members of the House the co-ordinating committee and members thereof of the National Conference of Chinese Canadians, which will take place in Toronto this weekend: Ping Tan, Victor Lee and Kai Tao.

This weekend will see the largest number of Chinese Canadians coming to Toronto from coast to coast to discuss a number of very important items to Chinese Canadians. Chinese Canadians, who wish to be proud Canadians, want to discuss a number of issues, such as the head tax, where Chinese had to pay \$500 per head when they came to Canada. And what about the Chinese Immigration Act from 1923 to 1947?

At this conference we are also going to be discussing the present situation. What about immigration to this country? How about the Constitution that we are talking about as Canadians? What about multicultural issues? These are the issues from the past and the present that Chinese Canadians are going to be discussing. We in this House would like to congratulate them for coming to Toronto, choosing this place and coming to grips with their past and with their present.

VIOLENCE AGAINST WOMEN

Mrs Witmer: Recent statistics show that violence against women is increasing, despite heightened public awareness. By 24 April of this year, there were 56 reported cases of sexual assault in Metro, compared with 40 cases last year. Victims of sexual assault are waiting up to six weeks in Metropolitan Toronto to receive counselling. Sexual assault centres are beginning to lose their credibility because they are not in a position to offer immediate counselling services to the victims.

It has been reported that it takes the Barbra Schlifer Commemorative Clinic, a clinic that offers counselling and legal advice to victims, up to 10 days to return a phone call. This is the case in spite of the fact that the majority of women still do not even report sexual assault because they do not think they will be believed.

It is appalling that there is no province-wide program that both informs and supports victims of sexual assault and that there is nothing in the present law that ensures that victims of sexual abuse or violence are entitled to support services.

It is time the government enacted victims' rights legislation that would ensure that all victims are entitled to support programs and that all victims are notified if an assailant escapes or has applied for parole or day passes. Surely it is time this government recognized that women need these services now.

PLANT CLOSURE

Mr Wood: On 9 May, a day-long conference in Timmins was held by the Mushkegowuk first nations of James Bay and Hudson Bay. This event brought together over 100 native and non-native leaders to talk about building bridges between our communities.

At a news conference that day, the Mushkegowuk council clarified its position on the proposed sale of the Spruce Falls powerhouse at Smoky Falls, 75 kilometres downriver from Kapuskasing, as well as Kimberly-Clark/New York Times's ultimatum to close three of the four paper machines at Spruce Falls, which would result in the discharge of 1,000 workers on 18 November of this year.

I am well aware of the letters and phone calls most of the 130 members in this House have received from the workers and business community in Kapuskasing concerned with finding new owners for the mill.

It is important to know that most of my friends and former co-workers at Spruce Falls, where I worked for more than 28 years, were expecting news of automation and modernization with layoffs of up to 500 people for the last 10 or 15 years. They never expected this to be part of the routine collective bargaining, which has been stalled since last year at this time.

A working committee led by the Deputy Minister of Northern Development is seriously looking for new investors and owners to take over the operation of Spruce Falls from Kimberly Clark-New York Times. With everyone working in solidarity, we can achieve our goals.

PARLIAMENTARY PROCESS

The Speaker: Members will know that since Monday last, 13 May, I have been considering a point of order raised by the honourable House leader for the government. In doing so, I am also considering the arguments presented in the House by other members and also some considerable written material that has been provided to me up until 6 o'clock last evening.

I would like to thank all of the honourable members for the assistance they have provided, and I must advise the House that because of the very serious nature of the point of order presented I will need a bit more time to consider my decision. Therefore, I shall give my decision on Monday 27 May.

LEGISLATIVE PAGES

The Speaker: I would also like to take this opportunity to draw members' attention to the fact that this is the last day our current group of pages will be serving us, and I am sure I speak on behalf of all members when I thank them very much for the dedicated service they have provided to all of us both in the House and throughout the assembly. I would invite all members to show their appreciation for our pages.

[Applause]

STATEMENTS BY THE MINISTRY

ONTARIO'S CREDIT RATING

Hon Mr Laughren: I would like to take this opportunity to inform the members of the Legislature about the current state of Ontario's credit rating.

During the past week, I, along with Treasury staff, have been meeting with representatives of four bond-rating agencies who review and post Ontario's rating. In these meetings, we detailed our government's decision to allow

the deficit to rise this year in order to fight the worst recession since the Second World War. In addition, I outlined our medium-term fiscal plan, including our commitment to reduce the operating deficit.

However, one bond-rating agency, Moody's, today has informed me that it has decided to lower Ontario's credit rating from triple A to AA2.

I am concerned about the lowered rating because of the potential impact on Ontario's borrowing costs at a time when the province and its people are being hardest hit by the recession. Our commitment to effectively manage Ontario's fiscal position and reduce and contain the deficit is clear. This deficit reduction will be evident as we pursue our medium-term fiscal plan as outlined in the budget. I want to assure the House and the people of Ontario that this government has the political will to ensure that Ontario's finances will be managed prudently and vital services will be maintained.

I would like to emphasize that we believe our approach to the deficit is the most responsible choice we could make, given the economic and fiscal conditions facing our province. We also believe Ontario's economic base remains strong, and that once the economic recovery begins, we can significantly reduce the province's operating deficit.

Clearly, this rating change will have an impact on our borrowing costs. I would like to stress, however, that it is difficult to estimate exactly what the impact of this rating change will be. There are a number of factors which influence borrowing costs. The bond rating is only one of these. Other and, I might add, more important factors are US interest rates, the Bank of Canada interest rate policy and inflation.

Indeed, the most important factor is the general level of interest rates. In the past few months there have been frequent weekly declines in the Bank of Canada rate and overall the prime lending rate has declined four percentage points over the past year. Yet the Bank of Canada continues to hold Canadian interest rates more than three percentage points higher than US rates. This adds significantly to Ontario's cost of borrowing.

A rating change from triple A to AA2 is estimated to add about \$2.5 million for every \$1 billion borrowed in the public bond markets. As I have noted previously, the province has a diversified borrowing strategy and only a portion of the costs of our financial requirements will be affected by the ratings change.

International investors have for some time been aware of the severe impact of the recession on Ontario's economy. It is likely that there has already been a moderate increase in Ontario's borrowing costs to reflect its changed economic position. Despite this, Ontario still retains a high credit rating within the triple A standard.

I am proud that through this budget we are investing more than \$4 billion of this deficit to renew the province's infrastructure, including our schools, roads and other public facilities. This investment will not only provide enduring assets for Ontario communities, but is also an important investment in our province's future. In addition, the money we spend today will create or maintain 70,000 jobs for the people of Ontario.

I also want to emphasize that, unlike the federal government, we are not prepared to abandon our commitments to vital services that Ontarians need now more than ever. This government decided to maintain health care, education and social assistance services.

While prudent fiscal management is one of the fundamental priorities of this government, it is not the only one. Unlike the federal government, we are determined to alleviate some of the distressing human costs of this recession. We believe that government has a responsibility to support employment and economic growth in times of recession. Government can and should be active in supporting the transition to a more productive, sustainable and equitable economy. We are confident that investors will continue to recognize the fundamental strength of Ontario and to view Ontario government bonds as high-quality, secure investments.

1350

PROVINCIAL SCHOOLS

Hon Mrs Boyd: I wish to inform members of the steps I am taking to ensure the safety and welfare of students in Ontario's provincial schools in light of recent allegations of abuse.

I have established a review team comprised of experts from my ministry, the Ministry of Community and Social Services and the Ministry of the Attorney General. This review team, to be headed by a senior staff person seconded from the Ministry of Community and Social Services, will determine the adequacy of current policies and practices intended to promote the health, welfare and safety of students in provincial schools.

On 15 April 1991, the Ministry of Community and Social Services investigations unit commenced an investigation. Although no charges have been laid by the police to date, three staff members have been placed on leave, with pay, pending investigation. The city of London police, the Halton regional police, the Children's Aid Society of London-Middlesex and the Halton Children's Aid Society are involved in ongoing investigations.

In addition, as a precautionary measure, I directed my ministry to secure all relevant files from provincial schools and the demonstration schools. The files are currently being maintained at offsite locations for safekeeping and to assist investigators in their work. Appropriate access to student files has been arranged to ensure that their medical and educational plans are maintained, and we are taking steps to ensure that freedom of information concerns are respected.

Provincial schools are located in the following locations: Milton, the Ernest C. Drury School; London, the Robarts School; Belleville, Sir James Whitney School; Brantford, W. Ross Macdonald School; Ottawa, Centre Jules-Léger.

On Friday 10 May, I issued a news release which outlined the status of the investigations to date, and announced that Ministry of Education experts in family violence will provide co-ordination and support to parents, students and staff. It is my intention to ensure that parents continue to be kept informed of the government's

measures, and I wish to reassure them that the safety and wellbeing of the students currently in our provincial schools is my ministry's highest priority. A letter will be sent to all parents of children currently enrolled at the schools. This letter will outline the steps we have taken and encourage them to use the support system which we have in place to assist families to deal with sensitive and serious matters.

My ministry is equally concerned that those who may have been students at the provincial schools in the past, and their families, are assured of support, safety and respect, should they decide to come forward to provide assistance in this investigation. The review team itself will also be seeking input directly from both current and past students and their families.

At the same time, we must safeguard the rights of present and past employees of the schools. Despite the allegations which have been made, the dedication and professionalism of the majority of provincial school staff members are not in question. It is my expectation that actions by my ministry and those of other investigating agencies will ensure that the provincial schools provide quality care and education for deaf, blind and learning-disabled students in our province.

POLITICAL ACTIVITY BY CROWN EMPLOYEES

Hon Ms Lankin: I am pleased to inform the House that the government is today releasing a discussion paper on extending political activity rights for Ontario crown employees. In the speech from the throne, we stated our commitment to recognize the right of the employees of ministries, agencies, boards and commissions to take part in political activities. The release of this paper represents a major step towards fulfilling that commitment.

Many of the existing limits on political activity and public comment by crown employees are much too restrictive. Indeed, some have been challenged in the court. The Ontario Law Reform Commission has also recommended that rules be relaxed to give most crown employees more freedom.

This government is taking action to meet those challenges and recommendations. At the same time, the government also recognized the need to strike an appropriate balance between permitting crown employees to exercise their individual democratic rights and protecting the public interest in an efficient, politically neutral public service.

Governments of all political parties, crown employees and the public all have an interest in the political neutrality of the public service. Governments need neutral, objective advice and the faithful execution of their policies. Crown employees must feel secure that their political activities or abstention from such activity will not affect hiring and advancement in the public service. Above all, the people of Ontario must be confident that their relationship with government is not affected by the political affiliation of the crown employees who provide public services.

This discussion paper addresses those concerns, sets out some key principles, identifies areas in need of reform and proposes some options for change. The discussion paper proposes a tiered system, with progressively more

political activity rights for employees in each of three categories.

A restricted category would be excluded from taking part in most political activities. This category would include deputy ministers and senior managers—the senior officials who provide advice to the government.

An intermediate level would receive increased political activity rights, with some limited restrictions. This category would include managers and employees who make value judgements which affect the public, such as allocating funds, evaluating proposals and adjudicating disputes.

An unrestricted category, which would include all other crown employees, would enjoy full freedom to exercise all their democratic rights. We estimate that this model would extend political activity rights for more than 65,000 crown employees.

The Solicitor General is currently reviewing political activity rights for police officers in Ontario. The issue of political rights for members of the Ontario Provincial Police, who are currently covered by the Public Service Act, will be addressed during the review.

I would like to emphasize two points. First, this government is committed to a major extension of political activity rights to the vast majority of crown employees. Second, we are not committed to the particular details of the model proposed in the discussion paper; this is a genuine appeal to the people in Ontario to help us draft the best possible reform.

We would like interested parties to respond to this discussion paper as soon as possible so that we can introduce new legislation in the fall.

I would invite all members of this Legislature to give us the benefit of their views. Together, we can extend political activity rights to thousands of people in Ontario who have been denied this basic democratic freedom for far too long.

COMMUNITY COLLEGES COLLECTIVE BARGAINING

Hon Mr Allen: During the last seven years, two strikes have occurred at our colleges of applied arts and technology. Following the first strike, the previous government appointed Jeffrey Gandz in 1987 to assess the suitability of the Colleges Collective Bargaining Act to the current and future needs of the college system.

Today, three years after the former government released the Gandz report to the public, I am very pleased to announce that this government will be introducing amendments to the Colleges Collective Bargaining Act as recommended in the report.

These amendments will address two issues which the Gandz report identified as major factors clouding the current college bargaining environment. They are the extension of bargaining rights to about 12,500 college part-time employees and the establishment of an employers' association.

Currently, both the Colleges Collective Bargaining Act and the Ontario Labour Relations Act effectively deny part-time staff at our colleges the fundamental right to participate in any form of collective bargaining. This is an unfair exclusion that is out of step with the situation that

generally prevails in the public sector, including the Ontario public service.

Therefore, we will be introducing amendments which will extend bargaining rights to all college part-time staff working on a regular and continuous basis, regardless of the hours worked.

Two new bargaining units will also be formed: one for part-time academic staff and one for part-time support staff. Employee organizations wishing to represent the two new units will be required to apply for certification under the Ontario Labour Relations Act. Provisions will be made for the future merging of the part-time units with the full-time units if the parties so choose.

The only exception to this will be for sessional staff, that is, full-time academic staff employed up to 12 months in 24 months, and part-time counsellors and librarians. These individuals, who have a strong community of interest with the full-time academic staff, will be folded into the existing full-time academic unit.

The second thrust of the amendments will be the establishment of an employers' association. The association will be established as a crown agency. Responsibility for collective bargaining and for making recommendations on the salaries and the conditions of employment of non-unionized staff will be transferred from the Ontario Council of Regents to the new employers' association. The Council of Regents will retain its responsibilities as sponsor for the college pension plan pending the general review of pension management in the public sector.

The establishment of the association reflects the support of both college boards of governors and the Council of Regents for Dr Gandz's finding that the responsibility for bargaining should lie with the parties responsible for implementing the bargaining outcomes.

The transfer of the Council of Regents' bargaining responsibilities, which by their very nature involve an adversarial relationship, strengthens the role of the Council of Regents as the provider of in-depth, objective advice to the Minister of Colleges and Universities on strategic plans and policy issues affecting the entire college system.

I will be introducing the legislation relating to these amendments as soon as possible. I do want to emphasize, however, that whenever the legislation is passed, it will not come into effect while the negotiations for a new collective agreement are in progress.

I would also like to note that the introduction of these initiatives at this time does not preclude further amendments to the legislation once the government has had an opportunity to undertake a review of both the Crown Employees Collective Bargaining Act and the Ontario Labour Relations Act.

The initiatives I have announced today show that this government is committed to improving the colleges' collective bargaining environment. I am confident that these initiatives will lead to more constructive management-staff relations in the college system and that they will contribute to the revitalization of the health and viability of our colleges of applied arts and technology.

1400

RESPONSES

ONTARIO'S CREDIT RATING

Mr Nixon: The taxpayers of the province were deeply disappointed when the Treasurer read his budget, and we are not surprised to hear that the credit rating has been reduced. I probably have more sympathy with the situation the Treasurer is experiencing than anyone, since when I first became Treasurer our rating was reduced almost immediately. I can remember his comments at the time and they were, as usual, moderate and well informed.

The indication, however, in this instance is somewhat more pessimistic. We were of course in an economy which was growing rapidly. The rate of increase was substantial and so we were able to win back the triple A rating rather quickly and move on to a fully balanced budget for the first time since 1971.

It is interesting to note that in fact the total debt of the province when Bill Davis became Premier was \$5 billion and when he left that office it was \$30 billion. As a matter of fact, the leader of the third party was a member of that government. It is interesting to note his conversion on the road to fourth party.

But in this instance I am concerned that the plans set out by the Treasurer for recouping fiscal responsibility are somewhat inadequate. I hope to deal with that more thoroughly in question period again, because he does not intend to reduce the deficit much below \$8 billion for the next four years, essentially the term of office of this party.

It concerns everyone, I believe, that this really means the credit rating is permanently lost, and it is not one step, it is two steps. So the cost, particularly since the borrowing is going to be very large, would certainly be between \$30 million and \$50 million and is something that should concern all of us. The Treasurer has indicated that the rule of thumb is \$2.5 million per billion, although his officials said differently at the committee that was reviewing this.

We are deeply concerned about this. We regret the loss of the credit rating. It was not unexpected, and we do not feel the Treasurer's announced plans to recoup fiscal responsibility are sufficient.

PROVINCIAL SCHOOLS

Mr Beer: I rise to comment on the statement by the Minister of Education. Clearly any statement of this kind is a difficult one to make and we are glad to see that a number of steps have been taken. I think it is of most concern when we recognize that those who are directly affected in terms of the allegations are from the most vulnerable parts of our society.

It is terribly important that the province move to ensure that there is public confidence in our institutions. With that in mind, I am glad to see that the minister has announced there will be a review of current practices and procedures. I would strongly urge the minister to make a commitment that when the report is completed, it will be made public. I believe that when a year ago we had to go through a similar set of allegations of abuse and Joanne Campbell headed up a task force, it was important that report was

made public so everyone could see exactly what kinds of procedures are in place to ensure the safety of the young people who are in these provincial institutions.

The second part that it seems to me is critical is the work to be done with those who have suffered abuse. I think we recognized, again from last year, that having a well-thought-out support system to assist those people was critical, as was encouraging others who perhaps have not yet come forward to do so. I recognize that is in the report and we certainly hope that all of those steps will lead to ensuring public confidence and that people will be helped. As I say, I would urge the minister to make that report public once it is completed.

COMMUNITY COLLEGES
COLLECTIVE BARGAINING

Mr Offer: I respond to the statement by the honourable Minister of Colleges and Universities. This announcement is one which is complex in terms of its implications and certainly its ramifications. We will be taking a very close look not only as to the statement which he has made today but also in terms of the amendments which the minister is going to be introducing at some time in the future.

In terms of his statement, I send notice that it seems to be silent on the whole issue of the scope and funding of the part-time bargaining rights and certainly on the funding of the new employers' association. Who is going to be paying for this association? How are the funds going to be obtained? This statement is certainly silent as to that aspect.

Finally, I would like to indicate that we are taking a look at the consultation which he has endeavoured and undergone in this matter.

PROVINCIAL SCHOOLS

Mrs Cunningham: I would like first of all to respond with a great degree of disappointment that I am sure the minister and others in this House share with regard to the need for the investigation into allegations of abuse at the provincial schools for the deaf and blind.

All of the critics have worked with the minister to make certain that this investigation goes smoothly. I think on a day like today, when most of us witnessed the statement by the member for York East, who was concerned about fundamental changes in provincial policies and practices concerning intervention services and sign language interpreting and intervenor training, and basically with improvements to access to universities and colleges for deaf students, that we are now faced with a situation in Ontario where we expect and demand that our professionals act just like that, in the best interests of care-giving.

I hope that at the end of this investigation we will find out that nothing took place which we should be concerned about. I hope that will be the result of the investigation.

COMMUNITY COLLEGES
COLLECTIVE BARGAINING

Mrs Cunningham: I would also like to respond to the statement from the Minister of Skills Development with regard to negotiations and the collective bargaining process. What we can say is that we are concerned a little bit

about the Ontario Council of Regents losing its responsibility and the minister in fact establishing a crown agency. It is at short notice that we get these reports, but it is not my understanding that this was in fact the recommendation made in the study. If it was, I will stand to be corrected, but another crown agency is not something we are looking forward to supporting on this side of the House, with the numbers of civil servants that will certainly once again be required.

Second, we are looking forward to local bargaining as part of the recommendations that should be accepted by the minister, and we will look forward to further refinements to this whole process so that our college system can do exactly what it is expected to do: keep students in school.

POLITICAL ACTIVITY BY CROWN EMPLOYEES

Mr Harris: Briefly, I have a comment on the statement by the Chairman of Management Board of Cabinet. She says, "The Solicitor General is currently reviewing political activity rights for police officers in Ontario." I think the minister probably juxtaposed the words. I think she is a little mixed up. I thought it was the police officers who were investigating the Solicitor General, reviewing his political activities. Perhaps the minister may want to rise and correct that.

ONTARIO'S CREDIT RATING

Mr Harris: I could not help but think a little bit today of déjà vu. When the Liberal Treasurer brought in his first budget, we got started on this slippery slope of massive spending. Right away we got put on credit watch and had to pay more for our borrowing. Now today, we have the Treasurer—and I think we have been there before. I was outside today in a rally. There I was sandwiched between the worst Treasurer in the province's history and the second-worst Treasurer in the province's history.

The last time this province was in a recession, there were signs of fiscal restraint. There was fiscal responsibility. There were not massive tax hikes. We maintained the credit rating. We laid a foundation in the early 1980s to come out of that recession with the strongest period of growth this province has ever had.

We see no sign of that happening with the devastating spending of the Liberals over the last five years and the carrying on of that pattern now by the New Democratic Party. We are not setting the stage for growth during this recessionary period.

I cannot help but comment on the Treasurer's line. He says, "Prudent fiscal management is one of the fundamental priorities of this government." That is 180 degrees—a statement nobody in this province believes.

Mr Stockwell: To hear the Treasurer trying to fob off the responsibility for the drop in the credit rating is absolutely absurd.

Interjections.

The Speaker: Stop the clock, please. I realize there are a number of interested members. If you could just contain your enthusiasm for at least 30 seconds, the member for Etobicoke West could make his comments.

Mr Stockwell: For the Treasurer to try and fob off the responsibility for this drop in the credit rating on anyone else—be it interest rates, the federal government or the interest rates across the border—is absolutely irresponsible. This credit rating has dropped because those people are bankrupt on economic policy. They are costing the taxpayers money in borrowing costs they should not have to pay. They do not have any idea what they are doing over there and they are bumping into each other in the dark. My impression of this is that it is simply a case that the government has lost its—

Interjections.

The Speaker: Now that we have captured everyone's attention, perhaps we can have oral questions.

1410

ORAL QUESTIONS

BUDGET

Mr Nixon: I want to pursue the matter pertaining to the Treasurer's announcement by directing a question to him. He is quoted from a speech just a day or two ago with reference to his belief that an aggressive deficit reduction plan should be undertaken. To quote his words: "We are fiercely determined to do that. Quite frankly, our credibility depends on it."

We have already discussed the \$9.7-billion deficit. We have not had a chance to debate the budget in the Legislature extensively as yet. I regret I have not had a chance to make my usual well-considered speech, but in reading the budget I was quite taken aback by the indication that the deficit will stay above \$7.8 billion for the next four years. Does the Treasurer really believe this is aggressively reducing the deficit? Does he believe there is any way that the credit rating will be restored with the deficit at that level, and does he not agree with me that his credibility will be lost unless he does a better job than that?

Hon Mr Laughren: There has been at least as much concern expressed about those three years from now as there has been about the deficit this year. I think most people understand that we are in a very severe recession and that the deficit was going to climb. We could argue about whether or not it was going to be \$8 billion or \$9.7 billion, but basically everyone accepted the fact that we were going to have a very high deficit for 1991-92.

The question really is how quickly we can reduce that deficit in the three years following that, which was in our medium-term fiscal plan laid out in the budget. I was absolutely convinced and I still am that it was terribly important that we put in the budget document itself numbers that were believable and achievable. That is what I said to the audience I was speaking to on that particular day. It would have been easy to put numbers in the budget document that showed a lower deficit three years from now or four years from now, but I was absolutely—

The Speaker: Would the Treasurer conclude his remarks, please.

Hon Mr Laughren: —determined not to do that to make me or someone else feel better at this time, but rather

to put out a set of numbers that we can achieve and hopefully improve on.

Mr Nixon: I respect the Treasurer's aim in this regard, but it does not make me feel any better, particularly since his indications are that his revenues will grow by at least 10% in each year. He further projects a return to real growth of something between 3% and 4%, which is substantial growth. My own view is that we will be lucky as a province to achieve that. The only answer for even maintaining the levels he is saying are realistic is further substantial increases in taxation.

Mr Speaker, you may remember my colleagues, in asking questions previously on the budget, elicited from the Treasurer that these tax increases might be in the order of \$5 billion, and yet the Treasurer is quoted as saying that over those years they would amount to only \$500 million. That was in the *Toronto Star*. There is a good deal of confusion here.

I suppose in a sense we have to wait and see what happens, but since the Treasurer has made a commitment, one that is not matched by the Premier—as a matter of fact, when I look at them and see the aggressive response from the Premier, I can think of nothing but Arsenic and Old Lace. But as far as the old-lace response is concerned, he wants to get the numbers right. So, is the tax increase in the next three to four years going to be \$5 billion or \$500 million—some people think that is even more—or will it in fact be closer to \$8 billion, which I project is a nearer assessment of what the Treasurer's plan will work out to be?

Hon Mr Laughren: The numbers in the medium-term fiscal plan to which the Leader of the Opposition refers are the ones that take us at the end of three years after this to a deficit of \$7.8 billion. That is based on certain assumptions: that there will be growth in the economy; that there will be tax increases over those years—I do not know precisely how many—and also that the Treasury Board, which we are in the process of creating, will be able to do a fairly aggressive and, I hope, a very good job on expenditure management. Having said all that, I do not need to remind the Leader of the Opposition how difficult it is to accurately forecast into the future.

Mr Nixon: The Treasurer is correct when he says he cannot accurately forecast into the future, but he did insist on including in his budget indications of what the deficits would be. That must be based on a projection of expenditure, something in the order of 12% to 13% presumably, because that is certainly what they have started off with. At the same time, he must surely have made a projection based on real growth, which is 3% to 4% of taxation that is going to come forward.

I wonder if the Treasurer could clarify for the House, and maybe for the readers of the *Toronto Star*, whether the figure is \$5 billion, which he and his officials gave the committee and also gave this House in answer to a question from the honourable member for Renfrew North, or \$500 million, which is his report to a meeting earlier this week. Can he clarify that?

Hon Mr Laughren: I was surprised to read the—no, I am not denying I said it; it is quite conceivable I did in a moment of weakness. By the way, the member for Renfrew North was the one who was reading the document, I thought most accurately. I should say to the leader of the official opposition, though, that he should be careful about taking those numbers in the medium-term forecast and making any kind of precise assumptions on the precise level of taxation or expenditures.

We felt, given the size of the deficit this year, that it was prudent to indicate that we had a plan for the following three years that would indicate that, in all of those years, revenues were going to exceed expenditures and that we were absolutely determined to start on a deficit reduction program immediately after this recession-driven deficit. We feel very strongly, and the leader said it in his first question, that all eyes are on us in terms of how we are able to manage the deficit from this year on.

1420

TRUCKING INDUSTRY

Mr Mancini: The Treasurer is aware that trucking is a \$5-billion industry in our province, and for every trucker on the road there are other workers employed to service and repair the trucks, to load the trailers, and in truck and trailer manufacturing and sales. The Ontario Trucking Association estimates that there are over 228,000 workers directly employed in the trucking industry in this province, or 5% of the total labour force. Truck transportation is responsible for over 70% of our trade with the United States. This is an industry that needs to be able to compete in the international marketplace.

The NDP government seems to have forgotten that it has been in office over the last few months, since September, and that it holds the responsibility of government and that it has the responsibility to help the trucking industry. What new financial measures can the Treasurer announce today to help Ontario truckers?

Hon Mr Laughren: I thank the member for the question on a very important matter. As the member may know, the Minister of Transportation and I met with representatives of the trucking industry yesterday afternoon to hear about their problems. There is no question that the trucking industry is in some difficulty in this province, absolutely no question about that.

To be fair, the member would acknowledge the fact that the Minister of Transportation made a major acknowledgement of that fact when he issued or imposed a moratorium on the issuance of new licences in the industry. That was a major commitment by this government to the trucking industry in this province. The member should cast his mind back a little bit and think about who it was who deregulated the trucking industry in this province and put it in the predicament it is in now, anyway.

Mr Mancini: It seems that the Treasurer does not want to listen to the opposition. Maybe he is going to listen to the people who are going to call. I urge everyone out there who supports the industry to call Pink Floyd and let him know how they feel about the actions of the NDP government.

The NDP socialist government has blamed every other government in North America for the problems associated with the trucking industry, but it was the NDP socialist government that introduced a 30% increase in the diesel fuel tax. This is a made-in-Ontario, made-at-Queen's-Park, made-by-the-NDP tax. The new NDP tax can cost truckers \$15 in additional tax every time they fill up their tanks. The new diesel tax will cost independent truckers at least \$4,000 a year, this new NDP tax.

Will the Treasurer agree that this tax basically wipes out all of the benefits from the recently lowered interest rates and, furthermore, that this tax will rob our economy of thousands of jobs?

Mr Scott: The number is 965-6361.

Hon Mr Laughren: I hope the number is correct that the member has given.

The member for Essex South is not being particularly fair when he indicates that this tax is anybody's problem in the trucking industry. The trucking industry has been in some difficulty for over a year now. As a matter of fact, if I wanted to pinpoint a date, it was back in 1988 that the difficulties began. If I wanted to pinpoint the beginning of the problems for the trucking industry, it would be back to when the Liberal government deregulated the industry, not a tax that has not even affected the industry yet.

The Speaker: Stop the clock, please. Before we proceed, the Sergeant at Arms has asked if I would make a request of members that for the next little while if they would just leave the water glasses where they are, they will be duly collected and we will issue new glasses for those of you who wish to have a drink of water. There is nothing funny about the water, but we have had a little problem with breakage and some of the glasses have some broken glass in them, so we are attempting to retrieve the glasses as quickly as possible.

Interjection.

The Speaker: Maybe I was wrong. There is something funny in the water.

Mr Mancini: We want the government to respond. If the Treasurer believes that the industry is in the straits he has described and if he believes that the decline has in fact been ongoing for a period of time, why did he burden the industry with a 30% increase on its fuel tax when it was looking to him to keep his promises?

When he said in the last election campaign that he would have low-interest loans; when he indicated that he would be friendly to the industry; when the industry has told him and his ministers that it wanted the fuel tax cuts and it wanted sales tax exemptions, I say to the Treasurer, when is he going to respond in a positive way to the trucking industry? We are waiting for his response.

Hon Mr Laughren: To be fair to the member opposite, we have already responded by the moratorium on new licences in the industry. As well, the Ministry of Transportation is doing a transborder cost study on the entire trucking industry, and that is an important study. I told the representatives of the trucking industry yesterday that, when the results of that study were known, we would sit down and talk to them again about what the real problems

in the trucking industry were, and if there was anything the government could do.

I think the member opposite would agree with me that a government does not respond to a blockade with an instant change in public policy. That is not the way we intend to make our change to public policy in this province.

Mr Harris: My question is to the Premier. Today on the front steps of the Legislature we all witnessed the start of a major tax revolt in this province. The taxpayers of Ontario are furious. They are so furious they called for the Treasurer's resignation. They do not believe the Premier has a mandate to mortgage their future. They do not believe this budget is going to save jobs in Ontario. They do not believe that this budget is what Ontario needs.

Here is a sign I was given at that rally. It says, "If you voted NDP you owe me \$10 billion." I do not blame the voters of this province who voted NDP. I believe that the voters who voted NDP in fact made an honest mistake. I blame the Premier. He is not giving them what they expected; he is not giving them what they voted for. How does he justify giving all Ontarians a \$10-billion mortgage for them to pay?

Hon Mr Rae: The simple reality is—and I am sure the leader of the third party in his heart of hearts realizes this—that in every recession which this province has undergone, whether it was under a Tory government or under a Liberal government or under a New Democratic Party government, the fact of the matter is that deficits have resulted because governments have made the commitment that they are going to reach out and provide some assistance for people who are affected by the recession. That is exactly what we have done.

As opposed to Tory governments, as opposed to Tory administrations which have cut and which have attacked people's standard of living, we have determined to do the very best we can for people in this most difficult of economic circumstances. I think in the light of all that has taken place across the country, and I would even say across North America, what we have done is the most responsible thing that could have been done in the circumstances.

1430

Mr Harris: There is not one single person in this province who will not feel the ill effects of this budget. I ask the Premier to take a look at what the truckers of this province have been forced to resort to. Just as no one buys the federal government pointing the finger at the province for those aspects affecting the trucking industry that are federal, nobody buys the Premier or the Treasurer of this province pointing the finger at Ottawa for those areas of concern that are within provincial responsibility. We are losing trucking companies. We are losing jobs daily. Part of the problem rests on the Premier's shoulders, and he knows that.

Aside from all the provincial areas affecting the trucking industry and now compounded by the new 3.4-cent-a-litre fuel tax, surely the Premier owes the truckers an explanation. Does he have an explanation as to why increasing the costs of trucking in Ontario is somehow helping

to solve the problem and somehow justifies allowing him to point the finger at Ottawa?

Hon Mr Rae: It is not a question of pointing fingers; it is a question of recognizing what decisions have been made. In 1988 the member's party and the Liberal government supported the deregulation of the trucking industry in this province when we said that the impact would be a substantial loss of jobs in this province. We warned them about that fact. We said that. We have offered to co-operate with the federal government in terms of dealing with this very significant problem.

The state of Michigan has not deregulated. Our truckers do not have access to Michigan licences the way that Michigan drivers have access here. The member's party supported that when it was supporting the Liberal government.

The simple fact of the matter is that the deregulation of the trucking industry has contributed significantly to the problems that we now face as a province and that the industry now faces. I would be very surprised if the leader of the third party was saying he would condone the kind of blockading activity on Highway 401 that we have seen over the last day as a constructive way of dealing with the problem, because I do not think it is a constructive way of dealing with the problem.

Mr Harris: Obviously the truckers of this province share the same frustration with the voters of this province, with the taxpayers, with those concerned: They do not know how to get the Premier's attention. It is most unfortunate that they have to resort to those measures to get his attention.

The Premier is great at pointing fingers. He points the fingers at Ottawa, he points them to the south, he points them to Europe, he points them to the Liberals, he points them to me. My party in Ontario did not bring in legislation for reregulation.

Interjection.

Mr Harris: You just listen. Listen, yappy. Listen, you stupid yapper, to what happened.

Interjections.

The Speaker: Perhaps I was wrong. Perhaps there is something funny in the water. If the government side could just calm a bit, the leader of the third party has the right to place his supplementary, and he shall do so.

Mr Harris: When the Liberals brought in the truck reregulation for Ontario and my party introduced the amendment to say there must be reciprocity with every other jurisdiction before that is implemented, where was the Premier? Where was his party when we brought that in so that we would have a level playing field when reregulation went through?

Hon Mr Rae: I will tell the leader of the third party as quietly and calmly as I possibly can exactly what happened during those days, because I think it is important for us to simply recall it. We were opposed to the free trade agreement which contributed to federal deregulation. We have consistently said that.

My colleague the member for Nipigon and my colleague the member for Etobicoke-Rexdale, now the Minister of

Transportation, pointed out day after day, on the basis of evidence we had from the trucking industry in this province, that the effect of deregulation in 1988 would be to affect jobs, job security. It would cost us jobs. The member's party supported that legislation; we did not. We continue to oppose it and we are determined to work now with the trucking industry to make sure we are able to have a climate in which it is possible for Canadian truckers to continue to work.

Mr Harris: The Premier is quite right; first, we supported that move because we felt that if we had a responsible government that did not tax us out of competitiveness, our truckers could compete with the best in the world; second, we moved amendments to insist there be reciprocity, and the Premier refused to support them.

BUDGET

Mr Harris: My second question is of the Treasurer. This morning, during the Mike Harris task force on the 1991 budget, we heard from Dave Purdon—

Interjections.

The Speaker: I am in no position to judge how humorous a remark is or is not, but what I can judge is that there is a level of noise, which is basically emanating from the government benches, preventing the leader of the third party from placing his question. I would appreciate your co-operation so that he can place his second question.

Mr Harris: Dave Purdon, owner of the shoe repair and leather shop in Bracebridge, appeared before the task force. This is the same cobbler who, just a few weeks ago, resoled the Treasurer's shoes in time for his budget debate. Let me quote Mr Purdon. He said: "This government is not listening to people like myself who want to work. I'm disappointed. I'm not happy with the budget."

Mr Purdon believed that resoling the Treasurer's shoes was a sign he would be practising restraint in his budget. He was wrong. Instead, the Treasurer delivered a budget that is 180 degrees in the opposite direction. What does the Treasurer have to say to Mr Purdon and others like him who believe that this budget is not only hurting Ontario but hurting people like Mr Purdon?

Hon Mr Laughren: I am almost tempted to say that my shoes fell apart the next day, but Mr Purdon did a wonderful job in resoling my shoes.

I would say to Mr Purdon and to the leader of the third party that a lot of people look only at the deficit and do not look at what we did with that deficit. We maintained or created 70,000 jobs in this province. We did not cut programs in health care and education. We were determined to preserve those programs, and Mr Purdon and many other people like Mr Purdon, I think, will benefit enormously by this budget in the years to come.

1440

Mr Harris: I do not understand how the Treasurer can be proud of losing 200,000 jobs on the one hand and creating 70,000 on the other, for a net loss of in excess of 100,000 jobs, by any measure. I do not know how he is proud of that.

It has been over two weeks since the Treasurer dropped the Floyd bomb on Ontario taxpayers. Now, I want him to listen to what informed observers have been saying. From the *Globe and Mail*, "Bob Rae Takes His First Big Step and Shoots Himself in the Foot," from the *Ottawa Citizen*, "Ontario Budget Makes the Wrong Choices," from the *Hamilton Spectator*, "Danger Ahead: NDP Driving Us Into Debt," from the *Kingston Whig-Standard*, "The Most Irresponsible Provincial Budget Ever," from the *Financial Post*, "Wrong Course for Ontario," and finally, from the *Toronto Star*, "Any Kid Could Have Done a Better Job."

The Treasurer has not listened so far, but surely he must be having second thoughts. Is everyone in the province wrong except him?

Hon Mr Laughren: As a matter of fact, I do not think that most people in the province are wrong. I think most people in the province agree with us, that it was important in the worst recession since the Second World War to maintain those important programs.

The leader of the third party gets to his feet and makes speeches all across this province saying that the deficit is too high and it should have been kept down perhaps to \$3 billion—perhaps to zero, I do not know—but he never talks about the programs he would cut to get the deficit lower.

It is a fact that the recession hit this province harder than any other province—much harder—and I believe we responded in a very responsible way. I am as proud of the budget now as I was the day I delivered it.

Mr Stockwell: My question, of course, is of the Treasurer. I suppose after speaking this afternoon he must be running out of paper bags. There appears to be a lot of people in this province hyperventilating.

I have with me today over 2,000 faxes. These faxes come from people right across Ontario. I want to present these faxes to the Treasurer, thousands and thousands. They will not even stay together, there are so many.

Hon Mr Cooke: Sort of like your caucus.

Mr Stockwell: There are not 2,000 in our caucus, as a matter of fact. I wish there were.

The people in the province have faxed this back to tell the Treasurer not to increase the deficit and not to increase the taxes. There are thousands of people across this province who think he is doing the wrong thing. There were thousands of people outside today who suggested to him that he has an oppressive budget that is squashing free enterprise and crushing the competitive edge that this province once enjoyed.

Bob White has jumped off the Treasurer's ship. He does not agree with the budget any more. Auto workers do not agree with his budget any more. The people of this province do not agree. Why does the Treasurer not do the open and accessible thing? Why does he not hear from the people? The people think this budget stinks. If the Treasurer is not prepared to hear from them, then why does he not resign?

Hon Mr Laughren: I do not know why the member is being so mean. I received a very enthusiastic response when I spoke to the gathering outside the front of the

Legislature earlier today. They were very enthusiastic. I do appreciate the copies of the fax notices, but I have to confess to the member that I really think I am more worried about all those people across the province who do not have a fax machine.

Interjections.

The Speaker: It is enough of a challenge to maintain decorum in here without supplying answers for people. The member for Oriole has been waiting patiently to place her question.

LAND USE PLANNING

Mrs Caplan: On Tuesday of this week, the Minister of Municipal Affairs flew to Grey county to tell county council that he was so concerned about irregularities with its municipal planning approvals in that county that all future approvals would have to be reviewed by his ministry officials. In effect, the minister took over the responsibilities for planning from Grey county. When, a few months ago, irregularities in planning became a public issue regarding the city of York, the minister refused to take any direct action. My question today is for the Minister of Municipal Affairs. Would he please explain why he chose to intervene in the county of Grey but not in the city of York?

Hon Mr Cooke: I very much appreciate the question. I noticed yesterday, when we made the announcement in the House, that the former Minister of the Environment, the member for St Catharines, seemed to agree with the position that this government had taken. I think one of the reasons that he agreed with the position—

Mr Nixon: No, you said he agreed.

Hon Mr Cooke: Well, he applauded the statement. I have no idea whether he just applauded for the heck of it or whether he meant it.

I think anybody who is concerned about the environment, and certainly the member for St Catharines and my colleague who went with me, the Minister of the Environment, both shared the point of view that in Grey county there were some significant problems with planning. As the editorial in the *Owen Sound* paper says, yesterday I believe it was, this matter has been known by the Conservative Party in the past and by the Liberal Party in the past, and finally a government took action to protect the environment in this province. We did that proudly.

1450

Mrs Caplan: In his throne speech, the Premier said he was going to address cynicism in this province. I would suggest to him that the answer by his minister now has done nothing to live up to that commitment.

For the record, let me tell the minister that in the county of York and in the city of York, as well as the county of Grey, there have been alarming allegations regarding the planning process. However, in the county of York the minister released two detailed government investigations. In the county of Grey the minister released two detailed government investigations. In the city of York the minister kept the government investigations under wraps.

In Grey the minister said the county "must immediately develop procedures" for planning. However, in the city of York the minister "strongly advised the city to bring in outside municipal consultants to undertake a complete administrative review." In Grey the minister forced the county to draft a new official plan; in the city of York he did not. In Grey all future planning approvals will be reviewed by the province; in the city of York there is no such restriction.

I know and the people of this province know that the Premier and the independent NDP member for Oakwood happen to represent the city of York, while Grey county is only represented by a member of the opposition. The minister has not explained—

The Speaker: Supplementary, please.

Mrs Caplan: —why the double standard. The minister has not explained why he treated these municipalities separately. He should answer the question. Why the double standard?

Hon Mr Cooke: Perhaps if the member for Oriole has something to say, if she has some inferences, my friend should put the facts on the table. She should have a few guts and try to tell us what she is saying. If the member is saying that there was political interference, I would simply ask her to look at the facts. She knows as well as I do that in the city of the York the police are involved in an investigation. We cannot have an inquiry in the city of York. The police are there. If she is saying that we should interfere with a police investigation, she is very irresponsible in making that suggestion.

CASE OF BRIAN RAPSON

Mr Carr: My question is for the Solicitor General. As he will know, this is Police Week. During Police Week it is traditional for politicians of all stripes to make statements saluting the valour and the abilities of the working police officers.

Mrs Caplan: Why one standard for Grey and another for York?

Hon Mr Cooke: You didn't have the guts to act on either.

Mr Scott: Scuttling out.

The Speaker: The member for St George-St David, I would appreciate your attention. It is difficult enough to debate one issue at a time, let alone two. I was attempting to hear the question being placed by the member for Oakville South. The member for Oriole will please contain herself.

Mr Carr: That is okay. My mother likes it when I get up and have to start again.

The question is to the Solicitor General. I hope he can hear me. This is Police Week, during which it is traditional for politicians of all stripes to make statements saluting the valour and abilities of the working police officers in this province. But the Solicitor General has chosen a new tack this year. Rather than acting as a supporter and advocate of the police, he has decided to act as the architect of their destruction.

Police officers in this province are highly demoralized, to the point where they passed a resolution calling on the Solicitor General's government to establish an independent inquiry into how criminal charges are laid against police officers. On behalf of all of the province's demoralized police, why did this government reintroduce the charges against Brian Rapson?

Hon Mr Farnan: I am going to answer the first question. I am going to ignore the last question.

First of all, on three separate occasions during Police Week I went to functions to celebrate Police Week. These functions were held in Orillia, Cambridge and Sault Ste Marie. My basic message was that I believe that police are heroes. I believe that we very often have unsung heroes, tens of thousands of officers, men and women serving this province, providing protection. Indeed, when 10,000 officers do their shift and they do it well, we do not hear very much about it in the media, whether it is newspaper, radio or television. One of my goals as Solicitor General is to make sure that the good work of police officers in this province is on the front pages and appreciated by all the people of the province.

Mr Carr: My colleagues and I also participated in Police Week, but we were not out to openings, cutting ribbons. We were out sitting in the front seat with the police officers, riding with them, seeing at first hand what happens on the street. In fact, today I just came from a meeting with the RCMP, the Metro police and the OPP. During a discussion over the drug situation, the question, when they opened it up to me, was why politicians, and in particular this new government, are not supportive of the police in this province. I would ask the Solicitor General to at least tell the police officers, if he is not planning to establish the independent probe that the police force has asked for, why not. If he is, could we please have a date when he is going to implement it?

Hon Mr Farnan: Let me commend my critic from the Conservative Party. I commend him for taking an interest in policing matters. I commend him for going out and talking to policing services within this province. I suggest that is something we should all do. Then, after we have done that, in a constructive manner as legislators we should get together and work constructively not only to maintain but to enhance the excellence of policing in the province of Ontario.

Mr B. Ward: My question is for the Minister of Labour, but before I ask, I must say I am disappointed in the recent behaviour of the third party and the delaying tactics that it is using. Day after day I sit here and observe the wasting of tax dollars in the reading of mundane bills that have no true meaning. I believe they are delaying the business of this House—

The Speaker: Does the member have a question?

Mr B. Ward: —because they are afraid that our budget and our policies will assist the working people.

The Speaker: If the member has a question, he should place it quickly.

Mr B. Ward: I will place my question as quickly as possible, Mr Speaker—

Mr Ferguson: On a point of order, Mr Speaker: According to the regulations of the House, in putting an oral question no argument or opinion is to be offered in putting the question. You can consult the rules. Quite frankly, I am tired of that rule being enforced on a consistent basis when it is a question by the government member. However, this side of the House continually has to listen to editorial comments from the other side of the House. Mr Speaker, it is your call on this matter, but what I am suggesting to you—

The Speaker: Would you take your seat, please. The member for Kitchener is correct about the point of order. Indeed, I certainly draw to all members' attention the fact that questions should be placed without editorial comment and they should be short and to the point. I would ask the member for Brantford to place his question.

WAGE PROTECTION

Mr B. Ward: As concisely as I can, my question is to the Minister of Labour. We are attempting to push through a bill on the wage protection fund. What impact would the Conservative delaying tactics have on the implementation of our government's wage protection fund?

Hon Mr Mackenzie: I thank my colleague for the question. I think it is a legitimate one. We have now surpassed 13,000 people who have filed claims who are probably entitled to a fair amount of money from plant shutdowns in the province. None of those workers is able to collect that money, because of the delaying tactics of the third party in this House.

Mr B. Ward: We all know how tough the economy is locally in the Brantford and Kitchener area. Could the minister give us an idea of how many workers there are in the Brantford-Kitchener area who may qualify for this particular fund?

Hon Mr Mackenzie: The way they are grouped, I cannot give him an exact figure, but it is in the neighbourhood of 1,100 workers in the Kitchener-Waterloo area.

1500

PENSION FUNDS

Mr Offer: I have a question to the Minister of Financial Institutions. There has recently been an article in the Toronto Star under the headline "DRG Seeking Pension Cash To Buy Shares." Pensioners belonging to the DRG salaried employees pension plan have contacted the minister's pension commission on many occasions looking for guidance. The pensioners and workers are trying to prevent an apparent attempt by the company to circumvent the moratorium on withdrawal of surplus pension funds put in place by the previous government. Among other things, the company is trying to access the surplus funds to float a high-risk share offering to company employees. They cannot get a straight answer.

Will the minister be allowing the pension commission to pass through this blatant attempt at drawing off surplus pension funds?

Hon Mr Charlton: Let me say two things about the question the member has raised.

First, the minister does not "allow" the pension commission; the pension commission has legislation which it enforces, and it makes its rulings based on the existing laws in the province, not at the direction of the minister. Having said that, I am not familiar with all the details of the case in question. I will look into them for the member and get back to him.

Mr Offer: I am surprised at the response by the minister, as it was something which has been covered quite extensively in the media.

As he is looking into this matter—for the first time, surprisingly—he will be aware that withdrawals of surplus funds are not allowed if absolutely 100% of the employees are not in full agreement. Clearly this is not the case in this instance, as concerned pension plan members have formed a pension advisory committee to oppose the company plan.

The minister must also be aware that this move by the company clearly violates the spirit of the moratorium and the Premier's own policy that pension surpluses belong to the plan members, and that if there are surplus funds the surplus should be used to improve benefits for plan members.

Can the minister assure the plan members, both former and active, that no funds will be withdrawn from the surplus if even one of them objects?

Hon Mr Charlton: As I suggested to the member, I will look into the matter and get back to him regarding the details of the case. Right at this moment we are also in the process of arranging a meeting with the affected employees of DRG Inc and we will make a full report to the House and to the member when we have all the details.

AUTOMOBILE INSURANCE

Mr Harnick: My question is for the Minister of Financial Institutions. As he well knows, 78% of public opinion, together with numerous victims' rights groups, as witnessed by the many petitions and coupons that have been tabled in this Legislature, have evidenced support for the government's stated promise to restore the right of innocent accident victims to sue.

In light of yesterday's announcement, in which the government broke the promise surrounding the timing of the legislation to be introduced, can the minister assure this House and the people of Ontario that the government will keep its promise and restore the right of innocent accident victims to sue?

Hon Mr Charlton: I am thankful that somebody finally got up and asked the question again. I thought the members were deserting the issue themselves.

The member is well aware that in the announcement yesterday I said clearly that final decisions on the makeup of the government's insurance package have not been made. When the government is ready to introduce its legislation here in the House, it will do as all governments in the past in this province have done and make all the announcements associated with the makeup of that plan.

Mr Harnick: I am really pleased he was happy about the question he got, but we are still getting the same kinds of non-answers.

Seventy-eight per cent of people want the minister to keep his promise and restore the right to sue. He tells us this will not be accomplished until the fall. In the meantime innocent accident victims are going without compensation. In the interim, while he dithers about doing whatever he is doing, why does he not eliminate the existing threshold and help the innocent accident victims? His delay is only profiting the insurance companies. He should lower the threshold and get rid of the threshold in the meantime.

Hon Mr Charlton: Obviously the member has some real difficulty understanding the auto insurance system in the province of Ontario. There are some innocent accident victims who are going without the right to sue; there is no innocent accident victim going without benefits. We have a substantial no-fault system in place in this province which is providing them with benefits. The right to sue to make up for those benefits the plan does not provide, or some other mechanism, is part of what we are looking at in terms of the review, but none of those innocent victims, except perhaps those who have run out under the cap, is going without benefits. They are going without the right to sue for more.

WORKERS' COMPENSATION

Mr Dadamo: I have a question for the Minister of Labour. The minister is well aware of the plight of older injured workers who are forced to live on very small pensions and pension supplements under section 135 of the Workers' Compensation Act. In fact, a vast majority of these workers, who are so disabled they can never hope to return to productive employment, are forced on to welfare.

Surely the minister agrees that this is unjust, and I would ask him what he intends to do about this tragic situation.

Hon Mr Mackenzie: I cannot help but agree totally with the member about the plight of older workers. It is one of the most objectionable things about Bill 162. There must be a better way to treat older injured workers in the province. I have asked the top officers of the board to look into this situation on a priority basis. It seems to me we have to come up with a way not to make a serious injury a one-way ticket to poverty in the province of Ontario.

POLLUTION CONTROL

Mrs Sullivan: My question is to the Minister of the Environment. The minister's response to my question last week indicated that she is revamping the municipal-industrial strategy for abatement program. We understand that the minister plans to merge MISA along with the clean air programs by establishing contaminant standards for all media in a toxic-reduction approach.

The minister knows that industry, municipalities and environmentalists have dedicated time and resources to the Liberal MISA program. Industry in particular has invested funds based on the program's monitoring regulations, and

there is significant capital investment planning under way for the abatement cycle.

Will the minister tell the House what her timetable is for the development and implementation of her new water and air program, and knowing there will be a hiatus or gap before that comes into position, what her direction to industry will be in the interim period until her rules come into effect?

Hon Mrs Grier: I do not think I was quite as definitive as the member indicates in my response to her question last week. I said to her that I was examining the MISA program, looking at better ways of accelerating that program and getting us towards cleaner lakes and rivers all across this province.

Certainly the initial work done in the monitoring section of the MISA program is extremely valuable data to have, and that monitoring is not yet completed. It soon will be. The opportunity is appropriate to examine how we are going to proceed as we move to the regulatory phase, and that examination has not yet been completed.

Mrs Sullivan: The minister will know that some of the sectors affected by MISA were due to have regulations put into effect last December. I think of the federal chemical industry. The minister will also know that dialogue and joint consultation on the technological process and process change is vital in developing useful regulations.

First of all, I am asking whether the minister will advise whom she is now in consultation with in connection with new regulations; and second, whether she will assure the House that any changes to MISA are not being developed in isolation and that she will consult and is consulting now with all stakeholders including environmentalists, industry and municipalities in the development of any new program which she brings forward, new toxic reduction strategies and new abatement regulations.

Hon Mrs Grier: I must take issue with the member's statement that regulations were due last December. I do not think that was the date. I would remind her that when the MISA program was first announced, it was supposed to be completed by 1989. I am faced with a program that is long overdue and that was not going to be stringent enough to get us to virtual elimination of many of the discharges which concern us.

The program has in place joint technical committees, MISA advisory committees and a very good process of consultation which was put in place by the former government. That consultation is continuing and certainly will continue as I refine and develop my regulations.

1510

WAGE PROTECTION

Mrs Witmer: I have a question for the Minister of Labour. The employee wage protection program, as outlined in Bill 70, covers all businesses in Ontario, no matter how small, and it makes no allowance for non-profit and charitable organizations.

Presently, volunteer directors of non-profit organizations receive no compensation, as the minister well knows, yet this bill will make those individuals liable for wages, vacation, termination and severance pay. This represents a

significant new risk for these volunteers. A parent who is a director of a day care centre could be held personally liable, even if the centre closed due to events beyond his or her control. Is it the government's intention to make the directors and the officers of non-profit and charitable organizations personally liable for unpaid wages?

Hon Mr Mackenzie: I think the member knows that officers and directors, including those of non-profit organizations, can be liable now under the Ontario Corporations Act. That is an issue I raised in the opening statement in the debate on this bill. If we get on to it, we might go into it further, and are prepared to listen to the arguments. Our chief intent in the legislation is to make sure that money that has actually been earned by workers is paid to them, and that is the intent of the legislation.

Mrs Witmer: I would like to remind the minister that ever since this bill was introduced, my office has been inundated with written briefs and phone calls. In fact, last Friday afternoon we received a call that was particularly disturbing, and I would like to share it with the minister.

A woman called to say that her company had been in a very precarious position for at least one year and because of Bill 70, she wanted me to know, the decision had now been made to immediately close that afternoon, instead of risking bankruptcy. On Friday 10 May, 30 more people in this province lost their jobs.

As I said before when this bill was introduced, although this deals with the temporary pain of unemployment, this bill does not create one new job, and now we see it is even going to contribute to further loss of jobs because of fear of this legislation.

All of the material I have received indicates that this bill is very seriously flawed by the premise of making officers liable. It does not make sense to put responsibility on the shoulders of the people who have no control over a firm's fortunes.

Given the amount of criticism, will the minister withdraw this bill and will he produce an alternative model that is going to protect the unpaid wages of workers in this province and protect their jobs?

Hon Mr Mackenzie: I am surprised the member has not looked more closely at the bill. That is exactly what the bill does, allow for the payment of wages that are already earned, wages or vacation pay or termination or severance. That is exactly what the bill does, and I am surprised she would not want to see that kind of coverage there. The proof is in more than 13,000 people waiting for payment already, including a good number in her region.

PENSION FUNDS

Mr Martin: My question this afternoon is for the Minister of Financial Institutions. As he and many of us are aware, there is a phenomenon becoming more and more popular in our country and in our province at this time where big companies walk in and take over smaller companies, take the resources there and in many cases leave the community devastated because it is the only industry in that community. One such example of that is what may happen in Sault Ste Marie if we do not come to an agreement on its future.

However, my question is around the accountability for pension funds originally guaranteed to the people who work in the smaller company. Who is responsible?

Hon Mr Charlton: There is no single answer to that question. Under the Pension Benefits Act, it depends on how a buyout or a takeover occurs. The buyout is one company buying out another company, which becomes a merger, and the company that is doing the buying has the option of taking the pension plan and responsibility for it or deciding in the buyout not to do that, in which case the original owner, the seller, would have to wind up the plan under the direction of the Ontario Pension Commission with all of the guarantees that provides.

In the case of a straight buyout of a company, as we had happen in Sault Ste Marie with Algoma—and I assume that is the company the member is referring to—where the company stays intact, the legislation as it presently stands is unfortunately not clear in terms of the obligations of the new owner of the company, because the company is the sponsor of the pension plan. Having said that, we are looking into the question that I think is in the workers' minds at Algoma Steel in terms of the relationship between the owner of that company and the company itself, and the responsibilities for the pension plan. The task force is looking into the whole question.

VISITOR

The Speaker: The time for oral questions has expired. I invite members to welcome to our chamber this afternoon a former member for Scarborough Centre, Margaret Renwick, seated in the gallery.

NATIVE HUNTING AND FISHING

Hon Mr Wildman: On a point of order, Mr Speaker: I rise to bring to your attention, under rules of debate, standing order 23, which says:

"23. In debate, a member shall be called to order by the Speaker if he or she:...

"(h) Makes allegations against another member.

"(i) Imputes false or unavowed motives to another member."

Yesterday in my absence, my friend the member for Simcoe East, a member for whom I have always had the highest respect and affection, twice alleged that I had politically interfered in the judicial process. This could not be further from the truth, and the particular instance to which he was referring has been explained in discussions and exchanges in this House. I am not raising the question of the veracity of the charge but the question as to why a member making such an allegation was not called to order.

The Speaker: I appreciate the point of order raised by the member. He may also know that usually the individual members are relied upon to bring to the Speaker's attention those matters which members feel are out of order. That should be done immediately when the remark is made. The member obviously is at some disadvantage in that he was not in the chamber at the time, nor did any of his colleagues raise the point. I do appreciate the fact that he has brought it to my attention, and I will respond to him in writing later on.

PETITIONS

PARLIAMENTARY PROCESS

Mr Drainville: I have a petition here to the Legislative Assembly of Ontario:

"Whereas the Progressive Conservative Party has usurped the power and position of the government through undemocratic use of the standing orders of the assembly; and

"Whereas the Progressive Conservative Party has cost the taxpayers of Ontario \$290,000 a day over the period of their childish and misguided activities; and

"Whereas the Progressive Conservative Party has wasted nearly \$3 million of taxpayers' money; and

"Whereas the Leader of the Progressive Conservative Party has characterized himself as a tax fighter, when he and his party are really tax wasters;

"We, the undersigned citizens of the province of Ontario, ask the government of Ontario to subtract the \$3 million that have been wasted so far from the caucus budget of the Progressive Conservative Party. They must be made to know that their waste of taxpayers' dollars is unacceptable to those who have to pay the bill. In short, they need to begin to do their job."

1520

OATH OF ALLEGIANCE

Mrs Sullivan: I have a petition from several people in Halton Centre addressed to the Legislative Assembly as follows:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the assembly shall demand that the government of Ontario rescind its decision to eliminate the oath of allegiance to the Queen of Canada for police officers, who must uphold laws that are proclaimed in the name of Elizabeth II."

I am pleased to affix my signature to this petition.

DAY CARE

Mr Jackson: It is interesting that the member for Victoria-Haliburton must not have supported the petition he read because he did not affix his name to it.

The Speaker: Your petition? Do you have a petition?

Mr Jackson: My petition? No problem.

"We, the undersigned, request that the Minister of Community and Social Services take action immediately to rectify the further salary inequity announced by her government 31 January 1991 for early childhood educators in Ontario.

"We believe that freedom of choice, pay equity and non-discrimination are the backbone of our democratic society. Furthermore, parents must retain the right to select the day care of their choice."

I support this resolution and I have affixed my signature to it. It is on behalf of the Woodland Children's Centre in Burlington.

BUDGET

Mr Stockwell: I have a petition, which reads as follows:

"Whereas the 1991 budget of the province of Ontario proposes measures which will substantially increase the provincial debt and the provincial deficit;

"Whereas the 1991 budget of the province of Ontario imposes \$1 billion in new taxes on consumers and workers;

"Whereas the policies proposed in the 1991 budget would further undermine the competitiveness of Ontario firms;

"We, the undersigned, do respectfully petition the Legislative Assembly of the province of Ontario to refer the 1991 budget in its entirety to a standing committee of the Legislative Assembly for public hearings around the province."

I have affixed my name to this petition and I will put it before you.

Mr Harnick: I have a petition. It reads as follows:

"Whereas the 1991 budget of the province of Ontario proposes measures which will substantially increase the provincial debt and the provincial deficit;

"Whereas the 1991 budget of the province of Ontario imposes \$1 billion in new taxes on consumers and workers;

"Whereas the policies proposed in the 1991 budget would further undermine the competitiveness of Ontario firms;

"We, the undersigned, do respectfully petition the Legislative Assembly of the province of Ontario to refer the 1991 budget in its entirety to a standing committee of the Legislative Assembly for public hearings around the province."

I have respectfully affixed my name to this petition.

Mr J. Wilson: I am pleased to rise and present this petition as my party's critic for Tourism and Recreation.

"Whereas the 1991 budget of the province of Ontario proposes measures which will substantially increase the provincial debt and the provincial deficit;

"Whereas the 1991 budget of the province of Ontario imposes \$1 billion in new taxes on consumers and workers;

"Whereas the policies proposed in the 1991 budget would further undermine the competitiveness of Ontario firms;

"We, the undersigned, do respectfully petition the Legislative Assembly of the province of Ontario to refer the 1991 budget in its entirety to a standing committee of the Legislative Assembly for public hearings around the province."

I too have affixed my name to this and present this now to you.

Mr Sterling: I did have a petition, but since the member for Victoria-Haliburton wanted to get on with the business, I do move that we pass to committee reports.

The Speaker: Just a moment. We have not finished petitions. I thought you were presenting a petition.

Mr Sterling: I have the floor. I have moved that we pass to committee reports.

Mr Harnick: They did it last week, Mr. Speaker. You might remember.

You accepted it. You said it was fine.

The Speaker: Just a minute. I am sorry. I misunderstood the member's motion. You wish to move to committee reports.

Mr Sterling: Yes. Are you going to put the question?

The Speaker: The member for Carleton moves that we now move to reports by committees.

1556

The House divided on Mr Sterling's motion, which was agreed to on the following vote:

Ayes 66; nays 13.

REPORT BY COMMITTEE

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mr McLean from the standing committee on government agencies presented the report on the appointments review process and moved the adoption of its recommendations.

Mr McLean: Very briefly, I wanted to comment on the report. It is a report done by all members of the standing committee on government agencies, boards and commissions. The committee worked long and hard at the new process that is in place. The report is a full report. There is, however, a dissenting report from the Conservatives and the Liberals. However, the report is full and complete and it is here to be dealt with in this Legislature.

I move the adjournment of the debate.

1632

The House divided on Mr McLean's motion, which was agreed to on the following vote:

Ayes 76; nays 0.

Mr McLean: Mr Speaker, I move that we proceed to introduction of bills.

1705

The House divided on Mr McLean's motion, which was agreed to on the following vote:

Ayes 72; nays 0.

INTRODUCTION OF BILLS

CORNWALL AREA ECONOMIC PROTECTION ACT, 1991 LOI DE 1991 SUR LA PROTECTION ÉCONOMIQUE DE LA RÉGION DE CORNWALL

Mr Elston, on behalf of Mr Cleary, moved first reading of Bill 102, An Act to protect the Economies of the Border Communities of the Cornwall Area.

M. Elston, au nom de M. Cleary, propose la première lecture du projet de loi 102, Loi sur la protection économique des communautés frontalières de la région de Cornwall.

Motion agreed to.

La motion est adoptée.

Mr Elston: If I might just add a couple of brief remarks, it deals with an issue which is weighing heavily upon the member for Cornwall's mind, which is of course the cross-border shopping and problems associated with the economy in Cornwall. He will be dealing with this issue in private members' time at our next sitting for private members' business. I appreciate the co-operation of

the House in allowing me to introduce it on his behalf, because it is of course a very severe problem economically and, as a result, socially in that particular part of Ontario, as it is right across the province.

While we have had some other bills which have been introduced for other reasons, the feeling and the sense of the member for Cornwall is quite clear that the community of Cornwall is at risk if steps are not taken to ensure that in fact its economy is protected.

VICTIMS' BILL OF RIGHTS ACT, 1991 LOI DE 1991 SUR LA DÉCLARATION DES DROITS DES VICTIMES

Mr Elston, on behalf of Mr Jackson, moved first reading of Bill 103, An Act to establish the Rights of Victims of Crime.

M. Elston, au nom de M. Jackson, propose la première lecture du projet de loi 103, Loi portant déclaration des droits des victimes d'actes criminels.

Motion agreed to.

La motion est adoptée.

Mr Elston: Just a few remarks, Mr Speaker. Again, thank you for the co-operation of the House in allowing me to introduce this bill on behalf of the member for Burlington South. Although I represent a different party, this is a private member's bill again, and I think it will be debated on the next Thursday when we deal with these items. It was only because I happened to be here at the time the member for Burlington South had to be called away that he left this material with me, and for no other reason. I do not wish to unnecessarily alarm the Speaker, because the staff may have to change a whole series of seats if this becomes the usual sort of thing to occur.

I do want to say that the subject matter of this is for all of us extremely important and I think that all of us will want to have something to say about the issue for the Victims' Bill of Rights Act which the member for Burlington South has wished to be introduced and that I have done on his behalf today.

CITY OF KINGSTON ECONOMIC PROTECTION ACT, 1991 LOI DE 1991 SUR LA PROTECTION ÉCONOMIQUE DE LA CITÉ DE KINGSTON

Mr Sterling moved first reading of Bill 104, An Act to protect the Economy of the Border Community of the City of Kingston.

M. Sterling propose la première lecture du projet de loi 104, Loi sur la protection économique de la communauté frontière de la cité de Kingston.

1715

The House divided on Mr Sterling's motion, which was agreed to on the following vote:

La motion de M. Sterling, mise aux voix, est adoptée :

Ayes/Pour-61

Allen, Arnott, Beer, Bisson, Boyd, Carr, Carter, Charlton, Christopherson, Cooper, Cunningham, Dadamo, Drainville, Elston, Eves, Ferguson, Fletcher, Frankford,

Gigantes, Grier, Harnick, Harrington, Haslam, Hayes, Hope, Huget, Jamison, Johnson, Kwinter, Lessard, MacKinnon, Malkowski, Mancini, Marchese, Martel, Mathysen, McLean, Mills, Morrow, Murdoch, B., Murdock, S., O'Connor, Offer, Owens, Perruzza, Philip, E., Phillips, G., Pilkey, Poole, Silipo, Sterling, Stockwell, Sutherland, Ward, B., Ward, M., White, Wilson, G., Wilson, J., Winninger, Witmer, Wood.

Nays/Contre-0

Mr Sterling: I and the members of the Progressive Conservative caucus are concerned about border communities. Therefore, I have introduced this bill. The purpose of this bill is to protect—

Interjections.

The Acting Speaker (Mr Villeneuve): The honourable member for Carleton has the floor. I know it is Thursday afternoon and we are all anxious, however—the honourable member for Carleton.

Mr Sterling: The purpose of this bill is to protect the economy of the border community of the city of Kingston in eastern Ontario by ensuring that government-imposed costs do not undermine the competitiveness of the businesses and the city itself in that community. They are very concerned.

CITY OF WINDSOR ECONOMIC PROTECTION ACT, 1991

LOI DE 1991 SUR LA PROTECTION ÉCONOMIQUE DE LA CITÉ DE WINDSOR

Mr Sterling moved first reading of Bill 105, An Act to protect the Economy of the Border Community of the City of Windsor.

M. Sterling propose la première lecture du projet de loi 105, Loi sur la protection économique de la communauté frontrière de la cité de Windsor.

Motion agreed to.

La motion est adoptée.

Mr Sterling: The city of Windsor is probably feeling the effects of cross-border shopping more than any other community in Ontario. We in our caucus want to take some positive steps to stop this cross-border shopping and protect businesses and companies that are trying to survive in this non-competitive Ontario that has been created by this government.

The purpose of this bill is to protect the economy of this border community of the city of Windsor by ensuring that costs imposed by this government do not undermine the effectiveness of the companies and businesses that operate in the fine city of Windsor.

RAINY RIVER ECONOMIC PROTECTION ACT, 1991 LOI DE 1991 SUR LA PROTECTION ÉCONOMIQUE DE LA VILLE DE RAINY RIVER

Mr Eves moved first reading of Bill 106, An Act to protect the Economy of the Border Community of the Town of Rainy River.

M. Eves propose la première lecture du projet de loi 106, Loi sur la protection économique de la communauté frontrière de la ville de Rainy River.

1728

The House divided on Mr Eves's motion, which was agreed to on the following vote:

La motion de M. Eves, mise aux voix, est adoptée :

Ayes/Pour-62

Allen, Arnott, Beer, Bisson, Carr, Carter, Charlton, Churley, Cooper, Cunningham, Dadamo, Drainville, Elston, Eves, Ferguson, Fletcher, Frankford, Gigantes, Grier, Harnick, Haslam, Hayes, Henderson, Hope, Huget, Jamison, Johnson, Kwinter, Lessard, MacKinnon, Malkowski, Mancini, Marchese, Martel, Mathysen, Mills, Morrow, Murdoch, B., Murdock, S., O'Connor, Offer, Owens, Perruzza, Philip, E., Phillips, G., Pilkey, Poole, Ruprecht, Silipo, Sterling, Stockwell, Sullivan, Sutherland, Ward, B., Ward, M., White, Wilson, G., Wilson, J., Winninger, Wiseman, Witmer, Wood.

Nays/Contre-0

The Acting Speaker: Mr Eves, would you have a few comments on your bill?

Mr Eves: No, it speaks for itself.

I move that we now proceed to orders of the day.

Miss Martel: On a point of order, Mr Speaker: It seems to me that is not in order. We would move automatically to that next order of business.

Mr Sterling: No, there may be other bills. I have another bill I want to introduce.

The Acting Speaker: Further introduction of bills.

Mr Sterling: He has moved a motion.

The Acting Speaker: The honourable member for Parry Sound has a motion on the floor.

Mr Eves: That is correct. I have moved that we proceed to orders of the day.

1803

The House divided on Mr Eves's motion, which was agreed to on the following vote:

Ayes 53; nays 0.

BUSINESS OF THE HOUSE

Hon Miss Martel: I would like to outline to the House the business for the week beginning Monday 27 May.

On Monday 27 May, we will consider second reading of Bill 40, An Act to amend the Mortgages Act.

On Tuesday 28 May, there is a Liberal opposition day standing in the name of Mr Bradley.

On Wednesday 29 May, there will be second reading of the health professionals' regulation legislation.

On Thursday 30 May in the afternoon, we will commence with second reading of Bill 74, An Act respecting the Provision of Advocacy Services to Vulnerable Persons. We also have two private members' items: ballot item 21, second reading of Bill 37 standing in the name of Mr

McLean, and ballot item 22, a resolution standing in the name of Mr Martin.

The Acting Speaker: It now being past 6 of the clock, may I take this opportunity of saying to all of our pages who have served us so well over the last number of weeks,

thank you for being such kind people to us. We sincerely hope that you have not learned too many bad habits and that this is not adieu but au revoir, and will ye no' come back again.

The House adjourned at 1807.

ALPHABETICAL LIST OF MEMBERS

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Speaker: Hon David Warner

Clerk of the Legislative Assembly: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees: Smirle Forsyth

Clerk Assistant and Clerk of Journals: Alex D. McFedries

Sergeant at Arms: Thomas Stelling

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines and to the Minister of Northern Development
			Vice-Chair, standing committee on Ontario in Confederation
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Hon Brian A.	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
Churley, Hon Marilyn	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	
Gigantes, Evelyn	Ottawa Centre	NDP	
Grandmaître, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities

Name of member	Constituency	Party	Other responsibilities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Chair, standing committee on regulations and private bills
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	Chair, standing committee on resources development
Jackson, Cameron	Burlington South	PC	Parliamentary assistant to the Minister of Energy
Jamison, Norman	Norfolk	NDP	Chair, standing committee on estimates
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Jordan, Leo	Lanark-Renfrew	PC	Parliamentary assistant to the Chair of the Management Board of Cabinet
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	Chair, standing committee on resources development
Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Health, Chair of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
Mackenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	Parliamentary assistant to the Minister of the Environment
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the Whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation

Name of member	Constituency	Party	Other responsibilities
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Phillip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
Rae, Hon Bob	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	Vice-Chair, standing committee on finance and economic affairs
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	S-D-G & East Grenville	PC	Second Deputy Chair of the Committee of the Whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Hon Fred	Frontenac-Addington	NDP	Minister of Government Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	

Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

COMMITTEES OF THE LEGISLATIVE ASSEMBLY

STANDING COMMITTEES

Administration of justice

Chair: Drummond White

Vice-Chair: Mark Morrow

Members: Gary Carr, Robert Chiarelli, Derek Fletcher, Charles Harnick, Irene Mathyssen, Gordon Mills, Jean Poirier, Gregory S. Sorbara, Fred Wilson, David Winninger

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Estimates

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Clerk: Deborah Deller

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Johnson, Ellen MacKinnon, Lawrence O'Connor, David Tilson

Clerk: Tannis Manikel

Regulations and private bills

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Vice-Chair: Lawrence O'Connor

Members: Donald Abel, Will Ferguson, Derek Fletcher, Leo Jordan, Ellen MacKinnon, Frank Miclash, Tony Ruprecht, John Sola, Kimble Sutherland, Jim Wilson

Clerk: Todd Decker

Resources development

Chair: Peter Kormos

Vice-Chair: Daniel Waters

Members: Ted Arnott, John C. Cleary, George Dadamo, Leo Jordan, Paul Klopp, Sharon Murdoch, Steven Offer, David Ramsay, Len Wood

Clerk: Harold Brown

Social development

Chair: Elinor Caplan

Vice-Chair: Joseph Cordiano

Members: Charles Beer, Christel Haeck, Randy R. Hope, Gary Malkowski, Tony Martin, Lyn McLeod, Stephen Owens, Tony Silipo, Jim Wilson, Elizabeth Witmer

Clerk: Lynn Mellor

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Ontario in Confederation

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Vice-Chair: Gilles Bisson

Members: Charles Beer, Ernie Eves, Evelyn Gigantes, Charles Harnick, Margaret Harrington, Gary Malkowski, Irene Mathyssen, Steven Offer, Yvonne O'Neill, David Winninger

Clerk: Harold Brown

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Parliamentary Precinct

Co-Chair: David Warner

Co-Chair: Noel Duignan

Members: Dianne Cunningham, Remo Mancini, Kimble Sutherland

Clerk: Smirle Forsyth

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Legislative Assembly of Ontario

First Session, 35th Parliament

Official Report of Debates (Hansard)

Monday 27 May 1991

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le lundi 27 mai 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 325-7400.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 27 May 1991

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

HIGHWAY NOISE BARRIER

Mr Mahoney: On 2 October 1989 I received a letter from then Minister of Transportation, the Honourable William Wrye. It was in reference to a noise barrier that was to be installed on the north side of the Queen Elizabeth Way in my riding, and I would read it to the House:

"We are committed to having the following three walls in place by the fall of 1991"—north side of Queen Elizabeth Way from Cawthra Road, westerly to Highway 10; the north side from Highway 10, westerly to Mississauga Road; and the north side from Mississauga Road to Erin Mills Parkway.

My reason for raising this in members' statements is that even after a fact sheet was put out to all of the residents in that community and they were invited to come and comment on the wall that was to be installed, even after the wall had been installed on the south side of the Queen Elizabeth Way, they are now being told that there is no guarantee the commitment made by the former Minister of Transportation will be lived up to by this government. I am very concerned that, just because we have had a change of government, commitments made in writing by ministers and ministries and public meetings and commitments made to residents in any community of this province would be treated in such a cavalier way.

I would ask the government to revisit that issue and assure my residents that that wall will be constructed by the fall of 1991 as originally promised.

FISH AND WILDLIFE MANAGEMENT

Mr B. Murdoch: It has come to my attention that by closing down three fish hatcheries in the province, the Ministry of Natural Resources is helping to eliminate a way of life that many of us in the province have cherished.

For years, both young and old have enjoyed the tranquil relaxation of fishing. There was a special bonding between parents and their children spending quality time on the banks and shores of Ontario's rivers and small lakes. Senior citizens could enjoy an inexpensive day of leisure and city people could enjoy the beauty and the unique atmosphere of a day in the country.

This is disappearing with the elimination of speckled trout from these bodies of water. As most members will know, speckled trout need fast-running water, but the increasing number of beaver dams has created stagnant ponds where these fish cannot live. The small lakes have no more fish.

Sports clubs, and in particular the Sydenham sportsmen's club in Grey, in conjunction with the Ministry of Natural Resources have stocked much of Georgian Bay, but this mainly benefits those who fish from boats. The

ordinary people, whom this government professes to speak for, are out of luck.

I would ask that the minister look into this situation and find a solution which will help re-establish an important family tradition which is now almost gone.

LIBERAL LEADERSHIP

Mr Ferguson: Even though the Ontario Liberal Party has yet to set a date for its leadership convention, already we have a number of candidates who are off to a flying stop.

The next leader of the Liberal Party could very well be from North York, Charles Who Hopes He Does Not End Up Crying in His Beer. From the north, the residents of Ontario may see David Which Way is the Wind Blowing Ramsay, or Lyn There is a Silver Lining in Every McLeod lead the party. And York Centre's favourite son, Greg Sobbing-era, is rumoured to be so far behind in this race that he thinks he is first.

The good people of Ontario are holding their breath waiting to see if Steve No-baloney Mahoney climbs over the starting gate along with the other love brother from Mississauga, Steve Let Me Make You an Offer. However, all leadership candidates would not be able to compete with the wind and the air of Jim Bragley from St Catharines. Finally, the whole race could change if interim leader Bob I Could Nix-'em decides to join the race.

Yessiree, this summer's leadership contest will have the people of Ontario yawning so long and hard they will swear that their teeth will be tanned. In the final analysis, when all is said and done the good folk of Ontario will still be more concerned about whether or not they can find a parking spot downtown than who will lead the Liberal Party.

CAT SCANNER

Mr Bradley: Fourteen months after the Niagara District Health Council requested a second CAT scanner for the region, the Ministry of Health is now calling on individual hospitals to make their own bids. "There's something rotten in Queen's Park," according to Frank Adamson, a vice-president at Welland County General Hospital. He says, "I wish somebody would wake up—this is going on 15 months."

The health council followed instructions by the ministry and submitted a report in March 1990 outlining the needs of the entire region. It proposed the Hotel Dieu, Greater Niagara General and Welland County General hospitals as suitable sites for Niagara's second CAT scanner.

On 22 May, according to executive director Gary Zalot, ministry officials instructed that he should go against convention and encourage the hospitals to provide their own proposals.

As members will know, Niagara's 375,000 residents have the longest wait in the province for non-emergency exams by a CAT scanner, and hundreds are heading to the

United States for this service at a cost to the taxpayers and themselves.

The minister said she wished to control health care costs. Niagara's hospitals have been co-operating and playing by the rules and assisting in this effort. Now they are being penalized for doing so.

The minister should put an end to this sorry saga and immediately approve the installation and operation of a second CAT scanner to provide an urgently needed service to the people of the Niagara Peninsula.

1340

QUEEN'S BIRTHDAY

Mr Jackson: I am pleased to report to the House that last week's Victoria Day parade was a great success, with one of the largest numbers of parade marchers and public participants who came down to Queen's Park to affirm their loyalty to and love for Her Majesty Queen Elizabeth II, whose birthday was publicly observed on that day.

It was a great success, notwithstanding the absence of the Premier, who received an invitation from the Monarchist League of Canada to review the parade but chose to ignore it without even so much as appointing an official NDP representative to attend on his behalf. This snub given by the Premier to our head of state is all the more shocking when we consider that the Premier has a reputation for attending all manner of public events, so much so that last year one journalist wrote: "Are you having a garage sale? Call the Premier's office; Bob Rae just might show up!"

Monday 20 May was not a garage sale. It was Canada's official yearly tribute to Her Majesty, at which time the Premier stood out by his absence.

At this time, when the NDP government has laid siege to our most cherished traditions and values, I congratulate Toronto city council for its recent resolution demanding a reinstatement of the Queen's name into the police oath, failing which it will fight the NDP's arbitrary decision in court. I also congratulate the Royal Ontario Legion especially, for committing itself to supporting such legal action.

The Premier owes an apology to the participants in the parade and all Ontario citizens for the grave offence he gave them last week. We assure him that the NDP government will not follow the lead of Saskatchewan, which removed the Union Jack from that—

The Speaker: Will the member take his seat, please.

EAST YORK SENIORS GAMES AND NATIONAL ACCESS AWARENESS WEEK

Mr Malkowski: I am pleased to inform the House of two events taking place today in my riding of York East.

This afternoon marks the official opening ceremonies of the fourth annual East York Seniors Games. The games are open to residents of East York who are 55 years of age and over. The games will run from today through to 14 June and will feature events such as lawn bowling, golf, horseshoes, double tennis and a 3,000-metre walk. There will also be pairs events in bridge, cribbage and darts.

The seniors games are run by seniors for the benefit of seniors who enjoy getting together in friendly competition. These games represent East York's contribution to the

Ontario Senior Games, where the goal is to have every district in Ontario hold this type of event for its seniors.

I am sure the other members will join me in wishing the organizers and competitors and their supporters every success as the games begin.

Also, this morning I attended the second annual East York access awareness ceremony at the civic centre. It was an honour to be present, not only as an individual who has faced barriers to access in the past and experienced the positive changes taking place daily, but also as the proud representative of the people of East York.

National Access Awareness Week celebrates and highlights the progress the citizens of Ontario have made in making this province a better place to live, to work and prosper for each and every one of us.

ASSISTED HOUSING

Ms Poole: On Saturday, the Toronto Star reported that the waiting list for assisted housing in Metro Toronto has hit a 15-year high, and that more than 500 people a week are joining Metro's waiting list in a desperate search for affordable housing.

Housing authorities expect the flood of applicants to continue as refugee claimants take advantage of a policy change announced by this Minister of Housing in April, which for the first time makes refugee claimants eligible for subsidized housing.

While we support the minister's decision to allow refugee claimants to apply for subsidized housing, we believe the Minister of Housing was absolutely irresponsible in the way he went about it. Back in February, during the hearings on Bill 4, the minister estimated that if the refugee policy were changed, the number on the waiting list could potentially balloon from 43,000 to 93,000 across the province.

It is obvious the minister knew that adding refugee claimants to the waiting list would have a dramatic impact and would strain the list to the bursting point, and yet he made absolutely no provision to increase the number of subsidized spaces to meet the expanded need.

Because of this action, people who have been waiting desperately for years will have to wait even longer. I have spoken time and time again about the need to increase the number of in-situ placements in existing buildings.

We have no time to wait for new units to be built. The crisis is now and the Minister of Housing must act and act now.

DEVELOPMENT DEPOSITS

Mr Turnbull: On 6 May the member for Downsview made a statement in this Legislature that contained several inflammatory accusations against North York city council and suggested the council has acted against the interests of the residents of North York. His words cast a shadow on the integrity of the mayor and the council.

The member stated that North York returned to developers \$25 million which rightly belonged to taxpayers of the city. The city did not return any money to developers; only letters of credit were cancelled. The proceeds of these letters would not have become available for the city's use.

If the developers defaulted, which none did, and if the city cashed the letters of credit, the proceeds would almost certainly have been tied up in costly litigation for years.

The council's concern was to create jobs and boost the sagging economy during this recession. Taxpayers are better served by keeping businesses alive and viable than by doing what the member is suggesting: pushing companies into bankruptcy.

Mayor Lastman has written, and I quote from his letter: "I take great exception to Mr Perruzza's uninformed and damaging prevarications. This is a person who has shown himself in the past to be totally irresponsible and it seems the trend continues unchecked. Once again we see him shoot his face off without having a clue of what he is talking about and failing to check his facts for accuracy. I call now for a full apology and unequivocal retraction in the House."

I ask the government to respond to the mayor and to the people of North York with the apology and a commitment to truth.

BROOKLIN SPRING FAIR

Mr Mills: Members will want to note in their calendars that the annual Brooklin Spring Fair will take place this year from Thursday 30 May to Sunday 2 June. In my riding of Durham East, we are very proud of the Brooklin Spring Fair. It is one of the oldest fairs in Ontario and this year is celebrating its 80th year. The fair has grown over the years and now attracts more than 25,000 people from all over Ontario.

I would like to pay tribute to the members of the Brooklin Spring Fair board for their hard work. There are 18 directors on the board and six junior directors, age 16 to 21. The board should be commended for this innovative idea to encourage young people to get involved in their community. The people of Brooklin and the surrounding area deserve praise for helping to make the fair such an overwhelming success every year.

The fun starts on Sunday with entertainment from Polka Dot Door and horse races. Later you can put your best foot forward in the fiddle and dance contest. The Brooklin Spring Fair has something for everyone, so bring your family and come out and join us. You will be sure of a warm welcome and a good time in Brooklin—and that is a positive, upbeat statement.

VISITORS

The Speaker: I would like to ask all members of the assembly to recognize in the Speaker's gallery today the Honourable Brian Howe, the Minister for Community Services and Health in the Australian Parliament, and Terry Hunt, the consul general. Please join me in welcoming them.

LEGISLATIVE PAGES

The Speaker: I would also like to ask all members to join me in welcoming the fourth group of pages to serve in the first session of the 35th Parliament:

Missy Beauchamp, Oxford; Christopher Bowman, St Catharines-Brock; Matthew Daw, Eglinton; Dana Hajik, London South; Jay Fitzsimmons, Durham West; Scott

Girvin, Etobicoke-Humber; Gaurav Gupta, Mississauga West; Sharon Hannaford, Wentworth North; Emma Hogbin, Grey; Paul Hookham, Port Arthur; Kerrie Johnson, Prince Edward-Lennox-South Hastings; Katherine Klauck, Niagara South; Benedict Lam, Markham; Rhonda Larivée, Lake Nipigon; Shannon Loughheed, Burlington South; Christopher Moloney, Brampton North; Joshua Paterson, Waterloo North; Katrine Raymond, High Park-Swansea; Gregory Salmon, Muskoka-Georgian Bay; Frank Scali Jr, Parkdale; Lisa Volpini, Sarnia; Kendra Williams, Quinte; Rebecca Williston, Cambridge; Gabriel Woo, Scarborough North.

Would you please welcome them to our chamber.

1350

Mr Cousens: I ask that there be unanimous consent for statements by all parties on the death of Rajiv Gandhi.

Some hon members: Agreed.

Agreed to.

DEATH OF RAJIV GANDHI

MORT DE RAJIV GANDHI

Mr Cousens: I rise today on behalf of my colleagues in the Ontario Progressive Conservative caucus and also on behalf of the large number of people in our own community from India to express our very deep shock and sadness at the sudden death of Rajiv Gandhi last Tuesday.

Time stood still as once again a world leader was struck down. Today in this House we grieve for his family. We grieve for India. We grieve for all people in the world that such evil can still strike a blow against democracy, truth and freedom.

His assassination has once again riveted the world towards the senselessness and dismay of political violence. Ironically, Mr Gandhi's death was symbolic of what he himself spent a lifetime attempting to resolve: India's turbulent and tumultuous history of warring ethnic factions. What is even more disturbing is the fact that Mr Gandhi has followed in the tradition of those within his own country, former leaders in their own right—Mahatma Gandhi, Jawaharlal Nehru, Indira Gandhi—meeting a violent and untimely death.

In an article published this weekend by David Olive of the Globe and Mail, it was noted that Mr Gandhi was attempting in this election to carry out many of the democratic principles and promised reforms that won him the right to rule in 1984. When he took office, he committed himself to bridging the gulf between India's ethnic factions and eliminating the excesses of the bureaucratic regime.

During this recent campaign, he was reaching out to thousands and thousands of people, literally forsaking his own personal security. How tragic that it was his commitment and devotion to an open style that led to his assassination.

There is the school of thought that if any good can come of his death, it is that hopes for an end to these violent class and religious divisions may be achieved by unifying the forces of the moderate, centrist Congress Party. Whatever the outcome of this election, let us pray that India may some day achieve the peace and stability it

so longingly desires. In the words of Mahatma Gandhi in 1922, "Non-violence is the first article of my faith. It is also the last article of my creed."

Today we remember a moment in the life of a man that should not have to happen right now. He should still be alive and serving the people he wanted to serve. May there be an end to violence everywhere on the face of this earth.

Mr Scott: I would like to join the honourable member for Markham in expressing the sympathy of the Ontario Liberal Party and, I am sure, of the whole House to the members of the former Prime Minister's family, and most of all to our friends the people of India.

It is important to remember that India is one of the world's most successful experiments in democracy. It is a country of 800 million people that very shortly, by the end of the century, will surpass the population of China. It is a country of hundreds of different languages and dialects. It is a country divided in a concrete way by two major and many dozens of only slightly smaller religions. It is a country that confronts very serious difficulties of unity and governance. We in Ontario and in Canada who are mesmerized, properly, by the problems of unity in our country cannot fathom what real problems of unity are until we look at the great experiment of democracy in India.

India has been a successful democracy for 44 years. For almost all that time, the Congress Party, which has been the governing party in India for most of the time, has been led by distinguished members of the Nehru family, including Rajiv Gandhi, who was assassinated last week.

A double assassination in one prominent political family is tragically, it seems, a characteristic these days of the great democracies of the world. We can only regret that and hope that over time common sense and wisdom will prevail and that Indians will be able to continue effectively with the great experiment that the Gandhis led on behalf of the people of India.

It is a great tragedy in a personal sense and a great tragedy for India, but I know all of us will want to think of the enormous strides Indian democracy has made in the last half-century. As someone said, it is not so much a country as it is a continent. For those of us, all in this House, who believe in the principle of democracy, we will commiserate with the Gandhi family and with the Indian people, but we will wish them well and hope for them strength and wisdom in carrying forward this experiment in the future.

Hon Mr Rae: I want to say a few words on behalf of the government. First of all, I wish to express my gratitude to the member for Markham and the member for St George-St David for speaking on this occasion on behalf, I am sure, of all the members of the Legislature and, indeed, of the people of the province.

It is no exaggeration to say that I felt time stood still for a few moments last Tuesday when we heard the news of the tragic murder of Rajiv Gandhi and the death of dozens of others who were surrounding him at the time. It is a tragic fact of public life not only in India or in developing countries but all around the world that there are people who feel, tragically and so mistakenly, that violence

and political assassination are somehow legitimate expressions of feeling or point of view.

We are not immune to this. Our own history has been marked, going back, I suppose, most famously to the tragic death after Confederation of Thomas D'Arcy McGee. We have all been struck. None of us have not been touched in our own lives by watching political leaders whom we admired and whom we felt had the courage to go forward being struck down in the prime of life because, as I said, some poor, misbegotten soul felt he or she had the right to take away someone else's life.

Our heart goes out, first of all, to the Nehru-Gandhi family, which, as the member for St George-St David pointed out so rightly, has been faced twice now in the last decade with the murder of one of its members, first Indira Gandhi and now Rajiv. It is, I think, almost impossible for us to contemplate the sense of grief which must be felt by Mrs Gandhi and by the two children faced with this tragic, tragic event.

Il est important aussi que le peuple de l'Inde reconnaisse et sente le sens, que partagent tous les citoyens du monde, d'injustice au sujet de la tragédie de l'assassinat de M. Gandhi. Nos coeurs sont avec le peuple indien face à ce grand défi et face à ces problèmes, mais nous reconnaissons surtout, comme l'a dit le député de St-George et St-David, la grande capacité du peuple indien, le grand courage que ce peuple a montré depuis très longtemps, certainement depuis la bataille pour une indépendance qui dure maintenant depuis 45 ans.

Our hearts are with the people of India who have lost a leader, a leader who was in office and then in opposition and struggling to be in office again; a leader who had the courage to say he wanted to be with the people. He knew that the risk he was taking was great and was significant and real, but he nevertheless, in a way that I think is hard for us in our own political context to appreciate, was surrounded by thousands of people. When no security system that one can possibly imagine could ever have provided protection, he decided that that was the way in which politics had to be conducted in his country.

It is a great tragedy. It is a tragedy for India; it is a tragedy for the world, because these events pass quickly and reverberate throughout the world with the miracle of modern communication and strike us all with just how ominous these events are.

Our thoughts are with the family. Our thoughts are with the people of India. Perhaps we should say a prayer for political civility throughout the world and take some time to reflect on its real, deep meaning for all of us who believe in the importance of sharing power equitably and trying to deal fairly and democratically with the public.

The Speaker: I know that the kind, thoughtful, reflective comments by the member for Markham, the member for St George-St David and the Premier will be deeply appreciated by many people, not only throughout this province but beyond our borders.

PARLIAMENTARY PROCESS

The Speaker: On Monday 13 May 1991, the government House leader, Miss Martel, rose in her place after statements by the ministry and responses and asked the Speaker to take measures—and I am quoting her remarks from page 1315 of *Hansard*—“that would bring the practice of the Ontario House more closely in line with practices of other Houses of Parliament.”

Specifically, the government House leader requested that the Speaker do three things. I think it is important to quote the government House leader's request, as follows:

“First, we respectfully request your ruling that the mover of an unsuccessful dilatory motion to adjourn the debate or adjourn the House loses the floor for the remainder of the debate on the matter under discussion, as is the case in both the Canadian and British House of Commons.

“Second, we respectfully request your ruling that you as Chair have an inherent discretionary authority to refuse to put the question on a dilatory motion where in your opinion such motion is an abuse of the procedures of the House.

“Alternatively, should you find for any reason that the specific rulings we have requested are not appropriate, we would ask that you use your judgement in formulating a response to the present impasse in the Legislature that is duly respectful of both the rights of the majority to govern and the rights of the minority to oppose.”

That is what the government House leader said. Thirteen other members from all sides of the House spoke to these requests. In view of the importance of the issues that were raised, I reserved my ruling. I also indicated that I would be willing to accept written submissions over the next two days. A number of members availed themselves of this opportunity. I want to thank the members for their submissions; they helped me in my deliberations over the past two weeks.

I want to preface my substantive response to the point of order raised by the government House leader by making a few general remarks about the nature and sources of parliamentary practice and procedure in this assembly. I do so because I have observed some confusion among members as to what qualifies as a point of order and as to how a point of order should be raised in the House.

The point of order that is currently before me provides an example of this confusion. Various members contended that it was not a point of order at all. However, citation 317 of page 96 of the sixth edition of *Beauchesne's Parliamentary Rules and Forms* suggests that the government House leader did have a point of order. This is what *Beauchesne* says:

“Points of order are questions raised with the view of calling attention to any departure from the standing orders or the customary modes of proceeding in debate or in the conduct of legislative business and may be raised at virtually any time by any member, whether that member has previously spoken or not.

“A question of order concerns the interpretation to be put upon the rules of procedure and is a matter for the Speaker or, in a committee, for the chairman to determine.”

I believe that the source of the confusion about the nature of points of order lies in the mistaken premise that concerns such as those raised by the government House leader do not constitute a point of order, because there is no specific relevant provision in the standing orders. However, the rules are only one component of the fullness of parliamentary practice and procedure in our assembly. This is evident from standing order 1(b) which provides as follows:

“In all contingencies not provided for in the standing orders the question shall be decided by the Speaker or Chair, and in making the ruling the Speaker or Chair shall base the decision on the usages and precedents of the Legislature and parliamentary tradition.”

I say to members, then, that there are three sources of parliamentary practice and procedure that are germane to this assembly.

First, there are the standing orders, as amended from time to time by sessional orders.

Second, there are the usages and precedents of this House. These usages and precedents have evolved since Ontario's first Parliament met in 1867, and some even go back to the Legislature of the province of Upper Canada, which was created in 1791 and first met in 1792.

There is also a third source of practice and procedure: the traditions of parliamentary institutions in other jurisdictions. These include, among others, the Canadian House of Commons, all of the provincial and territorial legislatures in Canada, the House of Commons at Westminster and the Australian House of Representatives.

Let me now return to the point of order currently before me. I begin by reminding members about some of the procedural occurrences that have marked meetings of the House between 29 April, the day on which the budget was presented, and 16 May.

First, excluding adjournment motions pursuant to standing order 9, there have been eight motions for adjournment of the House and eight motions for adjournment of the debate on whatever item of business has been before the House at the time of these motions. These motions have often been alternated, the one with the other, and there have been divisions on most of them.

Second, there have been nine motions to proceed from one part of routine proceedings to another or to orders of the day. Most of these motions have required recorded divisions.

Third, there have been 19 points of order on the absence of timely responses to written questions under standing order 95(d).

Finally, there have been many events related to the introduction of bills. Twenty-one private members' public bills have been introduced for first reading and many of them have been similar in nature. Recorded divisions have been required on 14 of these bills and the division results often indicated that no one opposed the motion for introduction and first reading.

Also, the reading of the long title of Bill 95 by the mover of the motion for introduction, and first reading by the Acting Speaker, then by the Clerk Assistant and Clerk of Journals filled 12 pages of the Votes and Proceedings for 6 May 1991.

As a result of these occurrences, it has taken considerable time to complete routine proceedings in order to get to orders of the day. The House got to orders of the day before 4 pm on every meeting day in April except on 29 April, when it got to this stage at 4:02 pm, which is not unusual for a budget day. In May, the House passed to orders of the day some time between 4 pm and 6 pm on six meeting days. Routine proceedings were not completed at the usual 6 pm adjournment hour for the other four meeting days. Not surprisingly, the disposition of business in orders of the day, apart from Thursday mornings, has decreased significantly.

Members will know that these occurrences and developments have affected not only afternoon meetings of the House but also the ability of the standing and select committees to meet after routine proceedings.

Before I proceed further, I want to be clear on one point. I do not recite these occurrences at this point in my ruling because I somehow now find them, taken individually, to be procedurally irregular or because I somehow find fault on a retrospective basis with the members who initiated them. On the contrary, most of these occurrences, taken individually, were found to be in order at the time they arose. The reason I recite them is that the government House leader contends that the combined effect of these procedurally valid individual occurrences has been to prevent the House from dealing with most of the business before it in a meaningful way and that it is the responsibility of the Speaker to contain such occurrences. That is one of the contentions I have been asked to respond to and that is why I have listed these occurrences at this point in my ruling.

I shall now consider each of the requests outlined in the statement of the government House leader.

The first request is that I make a ruling that would prevent the unsuccessful mover of a dilatory motion to adjourn the debate or the House from regaining the floor when proceedings resume. I have reflected carefully as to whether or not I can do this, and if so, whether I should do so at this point in time.

Let me begin my response to this first request by saying that our standing orders do not specifically empower me to recognize another member when proceedings resume after an adjournment motion under standing order 44 has been lost.

1410

As regards our practice in such circumstances, our research has found conflicting precedents. On 11 May 1979, Speaker Stokes made these remarks at page 1859 of *Hansard* about who was entitled to speak when proceedings resumed after the adjournment of a debate:

"There's a general agreement by the whips, who order the speakers, that speakers follow in rotation. On numerous occasions in the past we've had members get up and adjourn the debate on behalf of a particular party. It's just whoever happens to catch the Speaker's eye. I'm assured by the Clerk that from time immemorial you follow the normal rotation as long as you have speakers to fill the slots.... [W]e're not establishing a precedent here...."

However, members will know that since that time the member who moved an adjournment motion has regained the floor when proceedings resumed, and this remains our current practice.

In addition, members may move successive motions to adjourn the House as long as there has been an intermediate proceeding pursuant to standing order 44(b), and they may alternate motions to adjourn the House with motions to adjourn the debate. For an example of this in the 34th Parliament, I refer members to pages 346 and 347 of our journals for 26 April 1990.

The rules in practice in the House of Commons at Ottawa and at Westminster are otherwise. In both of those Houses the movers of such motions lose the floor after the motion is lost. For example, the following remarks appear at page 333 and 334 of the 21st edition of *Ersine May's Parliamentary Practice*:

"When a motion for the adjournment of the House or the debate has been negatived, it may not be proposed again without some intermediate proceeding. Furthermore, the Speaker has power under standing order 34, if he believes that any dilatory motion is an abuse of the rules of the House, to decline to propose the question on it to the House or to put the question thereon forthwith.

"A member who has already spoken to the main question is not permitted to move either form of dilatory motion; nor, having moved a dilatory motion, may he later speak to the main question if his motion is negatived. Similarly, a member who has moved a dilatory motion is not entitled to move another in the course of debate on the same question."

I am not unduly concerned about the divergence in practice between our Legislature and the practice in other institutions. There are many instances where our usages differ from theirs.

The reason for these and other divergences is quite simple. Our assembly, which this year celebrates the bicentennial of the founding of its colonial predecessor, has a separate and distinct parliamentary culture, a culture that emerged and evolved when centuries-old British parliamentary institutions and traditions were married or adapted to a space we now know as Ontario. That culture continues to evolve.

And so I say to members, when the Speaker has to look to this assembly's usages and precedents for guidance in resolving a contentious point, in circumstances where the standing orders are silent and when the usages and precedents of other parliamentary jurisdictions differ in some measure from Ontario's on that point, then the Speaker tends to follow the usages and precedents of this House, if they exist. Were the Speaker to do otherwise, there would be considerable confusion.

But the government House leader says that what is now before the House is extraordinary, that there is a parliamentary impasse. She contends that despite its best efforts to do so, the government has seldom been able to proceed with any part of its agenda in a meaningful way since the presentation of the budget because, among other things, there has been a large number of adjournment motions, many of them requiring a recorded division. I am

therefore asked to somehow not permit the mover of an adjournment motion to regain the floor when proceedings resume after the motion is lost.

I will defer responding to this request at this point in my ruling because it begs the question as to whether I am able to act on it, a subject that is key to the second request of the government House leader. Let me turn to the second request.

The government House leader says that the Speaker has an inherent discretionary authority to refuse to put the question on a dilatory motion if it constitutes an abuse of the procedures of the House. She asks that I exercise this discretion if I do in fact find that it exists.

This request has given me much cause for concern and deliberation. Does the Speaker have such a discretion? If so, what are its parameters? Would a decision in this regard not also require the Speaker to engage in the difficult task of ascertaining the real intentions of a member who moves a dilatory motion? Would the exercise of discretion have a retrospective or prospective operation? If the latter, am I being asked to make such a ruling apply to all future situations where a dilatory motion is used or just to those situations where I would be of the view that it would unduly obstruct the business of the House, or just to those dilatory motions in the current series of alleged obstructions?

Let me begin answering some of these questions by saying that the standing orders give the Speaker a discretion in some aspects of our practice and procedure; for example, to determine whether closure and other motions are in order, to adjourn the House for grave disorder and to recognize members to speak. But the standing orders do not explicitly confer a general or inherent discretion on the Speaker to deal with abuse of the rules or obstruction of House business, nor is there a House usage or precedent that is directly on point, and so it is necessary to examine the practice in other parliamentary jurisdictions.

In British Columbia, standing orders 34 and 44 respectively read as follows:

"A motion to adjourn (except when made for a purpose of discussing a definite matter of urgent public importance) shall always be in order; but no second motion to the same effect shall be made until after some intermediate proceedings shall have taken place.

"If Mr Speaker, or the Chairman of a committee of the whole House, shall be of opinion that a motion for the adjournment of a debate, or of the House, during any debate, or that the Chairman do report progress, or do leave the chair, is an abuse of the rules and privileges of the House, he may forthwith put the question thereupon from the chair, or he may decline to propose the question to the House."

The latter standing order shares some similarities with standing order 86 of the rules of the Australian House of Representatives. It lists 14 questions and motions that are not open to debate and then provides as follows:

"Should any of these questions be negatived, no similar proposal shall be received if the Speaker or the Chairman is of opinion that it is an abuse of the orders or forms of the House, or is moved for the purpose of obstructing business."

Standing order 34 of the rules of the House of Commons at Westminster provides as follows:

"(1) If Mr Speaker, or the Chairman, be of the opinion that a dilatory motion is an abuse of the rules of the House, he may forthwith put the question thereupon from the chair, or he may decline to propose the question thereupon to the House or the committee.

"(2) For the purposes of this order the expression 'dilatory motion' shall include a motion for the adjournment of a debate, or of the House, during any debate, or of further consideration of a bill or of the Lords amendments to a bill, or that the Chairman do report progress or do leave the chair."

The House of Commons at Ottawa is in the same position as our assembly—it has no standing order like the ones in the three jurisdictions I have just mentioned. However, this has not prevented its presiding officers from finding that they had some latitude with respect to exceptional procedural occurrences, or that they might, in the proper circumstances, exercise such latitude.

For example, on 18 March 1982, after a 14-day bell-ringing episode that had effectively prevented the House from proceeding with the business before it, Speaker Sauvé made these remarks (at pages 15,556 and 15,557 of Hansard):

"The Speaker is the guardian of the rules of the House. He does not invent them. It is up to the House to decide what changes are necessary. I merely point out that there is a problem. In the meantime, the Chair will continue to be vulnerable until the House provides it with guidelines which would lead to settled practices regarding those very difficult and highly controversial questions, where the rules and practices appear to be less than satisfactory....

"I may point out that obstructive tactics are allowed by the rules. However, their use must be regulated so as to safeguard the government's right to have the House consider its order of business and the equally important right of the opposition to criticize, oppose and even obstruct a government measure....

"It is my hope that such a situation will never again occur in this House. However, should it occur again, the Chair, unless it is provided with firm guidelines, would need to consider its course of action with very great care under the new circumstances. I trust that in the overriding interests of this honourable institution, the House will take steps to make known its will as to how the Chair should act before any such situation occurs again."

1420

The bell-ringing episode and Speaker Sauvé's remarks had an effect on how the House of Commons' presiding officer subsequently dealt with analogous situations. The changed climate informed the views of the Deputy Speaker of the House of Commons when he cautioned members about the use of dilatory tactics in the House on 27 October 1983. He made the following remarks (at page 28,375 of Hansard):

"The Chair is not prepared to entertain a series of dilatory motions whose object—and I call this to the attention of honourable members—is to impede the orderly flow of House of Commons business. This is something which

honourable members might well wish to remember. They may well wish to remember my words of today, because circumstances could well change in this place and honourable members are creating precedents that they themselves might have to live with. That is something that they will have to be concerned about and answer to themselves.

"At this point the Chair recognizes the points of order that have been raised. It has ruled on the points of order that have been raised. It is always the right of honourable members to raise points of order, but there is a point at which the Chair has to decide that the proceedings are dilatory, designed to impede the conduct of business of the House, and under such circumstances the Chair has to exercise some initiative."

On 14 April 1987 Speaker Fraser ruled that a government motion to proceed from the one part of routine proceedings to another was in order in circumstances where there had been a protracted series of procedural occurrences related to a government bill. He found that these occurrences had become a substitute for debate and that they were disrupting routine proceedings.

I want to quote extensively from this important ruling for the benefit of members. This is what Speaker Fraser said (at page 5120 and 5121 of Hansard):

"In the kind of situation which faces us, I have no doubt that negotiation provides the only route to a satisfactory solution. However, when negotiations fail there comes a time when the Chair is obliged to consider what its own responsibilities are. One of the functions of the Speaker is to ensure that the House is able to transact its business. This does not mean that the Chair plays any part in assisting the government in the management of its business agenda. I want to repeat that; this does not mean that the chair plays any part in assisting the government in the management of its business agenda.

"Considerable debate has already taken place on this bill. It cannot be argued the opportunities for airing objections to it have been unreasonably restricted. There has been considerable disruption of routine proceedings which, as I have said, has given me grave concern....

"The House is...facing an impasse which it has been unable to resolve for itself. There comes a time when the Chair has to face its responsibilities. When circumstances change and the rules of procedure provide no solution, the Chair must fall back on its discretion in the interest of the House and all its members. This may require the Chair to modify or vary an earlier decision....

"An eminent parliamentary authority Josef Redlich has written that it is the duty of the Speaker to serve the majority and the minority: 'by maintaining the rules and the usage of centuries, and by taking care that both majority and minority are not impeded in the use of the forces and the weapons which the order of business provides for strong and weak. Protection of a majority against obstruction and protection of minority against oppression are both alike functions of the Chair....'

"I repeat my conviction that the entire question of the use of dilatory motions during routine proceedings needs to be examined and that no procedures should be sanctioned which permit the House to be brought to a total

standstill for an indefinite period. Division bells are no substitute for debate....

"The decision of the House to change the manner of electing its Speaker is indicative of the fact that the House of Commons has matured. Has it matured enough to confer upon its presiding officer the discretionary powers necessary to control abuse and resolve deadlocks that the British House of Commons gave its own Speaker over a century ago? I believe it has."

That is what Speaker Fraser said. On 29 June 1987 he made some additional remarks about the circumstance in which he had exercised his latitude to act. He said the following about his April ruling (at page 7713 of Hansard):

"If honourable members have taken from my ruling of 14 April that the Chair would, in the future, exercise discretion on any or all of the rules of the House, they have misunderstood the letter and the spirit of the ruling. The discretion I exercised on that day was in the context of an absolute lack of any guidance in the standing orders—I repeat, in the context of an absolute lack of any guidance from the standing orders—or in the precedents, or practices, or conventions of this House. Nor was there any direction from the House itself, at that moment."

I have found these authorities most helpful, and I find, without limiting the ambit of the duties and powers of the Speaker of the Legislative Assembly of Ontario, that the Speaker does have a latitude to act in exceptional instances where the standing orders are being abused or where the business of the House is being obstructed.

Given that I have this latitude, I now have to determine whether the situation before me is such that I should act.

I begin my response on this issue by making a few remarks about the role of the Speaker in parliamentary jurisdictions. As with all presiding officers, the Speaker has to avoid becoming involved in partisan activities in the exercise of his or her office, and has to avoid the appearance of such involvement. The Speaker must uphold the independence and integrity of the office, protect the rights of both the majority and the minority and uphold the privileges of the House and its members. I am cognizant, and have often reminded myself of the importance of respecting the letter and the spirit of the prescriptions, and members can rest assured that I will continue to be vigilant in this regard.

In my deliberations on whether or not I should exercise the latitude to act that is reposed in me, I have been mindful of the fact that previous Speakers have not had occasion to act in the way I am asked to act. This suggests to me an obvious point, namely, that the Speaker will rarely be faced with a situation where the standing orders are being abused or where there is obstruction to the point that he or she must act.

In this vein, I remind members that there have been many serious procedural difficulties in the history of this Legislature, and they have not been resolved by the kind of intervention that is now being sought by the government House leader. For example, in the last session of the 34th Parliament, there was an unprecedented 50-hour debate, over 17 meeting days, on a time allocation motion with

respect to Bill 68. The debate ended when the government moved closure.

In the course of that debate, there were many procedural occurrences. There were adjournment motions. There were points of order. There were petitions. There were motions for the introduction and first reading of bills. There were recorded divisions on these motions and there were quorum calls. Members will recognize some of these procedural occurrences as having also marked recent meetings of the House.

Throughout that period, members from the government side contended, as members from the government side do now, that many of the procedural occurrences were out of order, but the Speaker and the other presiding officers ruled that most of them did not offend our rules, as has been the case with the current series of procedural occurrences.

Should I, then, exercise my latitude to act? Does anything prevent me from so doing? In answering this question, it is clear from the rulings of the House of Commons' presiding officers that I have already referred to that I have to consider all the circumstances. So that members may know how they might guide themselves, I will review how two of these circumstances apply to what has transpired in this House in recent weeks.

First, it is clear from the rulings that I have referred to that before the Speaker acts, he or she must be satisfied that the members themselves have attempted to resolve the difficulties that beset the House. There must have been sustained and good faith, albeit unsuccessful, efforts by members to resolve their differences by the traditional, time-worn method of negotiations. It is also clear from those rulings that before exercising the latitude to act, the Speaker must be satisfied that the situation in the House approaches a deadlock or standstill.

In short, I will not act on the government House leader's second request in the absence of evidence that there is no room left for negotiations, and that the situation in the House approaches a deadlock or standstill. These two circumstances were not present when the point of order was raised two weeks ago and they are not present today.

I hope that my remarks on the second request encourage members to resolve their differences and to see their way clear to proceed with the business of the House so that it is not necessary for me to act.

I trust that it is obvious from what I have said about the government House leader's second request that I cannot act with respect to her first request. However, let me also say that the moving of adjournment motions under standing order 44—as with dilatory tactics generally—can, in a proper case, qualify for the exercise of the Speaker's latitude.

I turn now to the alternative request of the government House leader. She suggests that in effect the Speaker has an overarching discretion to act as he or she thinks fit. This goes far beyond the second request. This kind of open-ended request is a common feature of statements of claim and other kinds of legal pleadings in civil law, but it is an inappropriate request in so far as the law and custom of Parliament are concerned. It is a request that I somehow

resolve the alleged impasse so as to assist the government to push its agenda through the House.

This I will not do, as it is incompatible with not only the nature of the office of the Speaker but also the idea of parliamentary democracy, something that members from all sides of the House alluded to many times in their submissions on the point of order two weeks ago.

1430

I say to members that it is for the government of the day to decide the agenda and for the House to consider the business put before it by that government. Speaker Stokes made some instructive remarks on this very point in this House on 29 May 1979. He said the following (at page 2292 of Hansard):

"It is not the responsibility of the Chair to order the business of the House or the committees of the House, which are creatures of the House. The ordering of business is the responsibility of the government House leader in consultation with the other two House leaders.

"You wouldn't want the Chair to be forcing its position on the ordering of the business of this House or its committees. It must be resolved by the proper authorities. There is nothing I can do about it."

In declining to act on the third request, I say that the primary responsibility for resolving differences and difficulties among the members lies with the members themselves. In the past, this has usually been done by negotiations and by changes to the standing orders.

In closing my remarks on this point of order, I want to say to members that while I have declined to act on any of the requests of the government House leader, I am very much aware of the exchanges and strains among members and the parties in the past few weeks. I want to be helpful, to render what assistance I am able to give. To this end, I say that my office is available to facilitate resolutions to problems and conflicts to the extent that it would be consistent with the essential nature of my office.

I thank the members for their attention in the course of this extended ruling. It offers something for all members. I trust that it offers some guidance as well.

Mr Nixon: Mr Speaker, even though your ruling is not debatable, I wonder if you could allow me to just say a word or two as a matter of clarification. Am I correct in my hearing of your words that you remain unconvinced that negotiations between the two opposing parties in this regard have not been as sufficient as you would expect and that there is surely a responsibility on the leader of the government or his designate and the leader of the third party or his designate to meet and to reach some sort of conclusion that will put this House back on a working footing?

The Speaker: Simply put, I believe I said in the statement that I remained unconvinced that there was not room for negotiations and, further, that if my office, in the proper exercising of its duty, could be of any assistance to help resolve the impasse, I am more than pleased to do so.

NATIVE HUNTING AND FISHING

The Speaker: On Thursday 16 May, the honourable member for Algoma, the Minister of Natural Resources,

rose on a point of order complaining of remarks made the day before in this House by the honourable member for Simcoe East. I have had a chance to consult Hansard and have reviewed the offending words.

I must say that had I been able to hear those words above the extraneous noises in the chamber when they were said to the House, or had they been brought to my attention at that moment, I might have asked the honourable member to withdraw his words.

In the circumstances, I must counsel all honourable members that members' statements should not be used to proffer personal attacks upon other members in this House, nor should they in any way be couched in language that is disorderly.

STATEMENTS BY THE MINISTRY

NATIONAL ACCESS AWARENESS WEEK

Hon Ms Ziemba: As Minister of Citizenship with responsibility for disability issues, I am pleased to remind members that this week is National Access Awareness Week, which began yesterday and continues until 1 June. This is a time to reflect on the challenges and opportunities that lie ahead for us to dismantle all barriers faced by the disabled community.

Enhancing access and respecting the voices of people with disabilities is integral to this government's overall agenda. We are committed to eliminating barriers for disabled persons. I am speaking not just about obvious barriers that restrict physical access to buildings but also about the more subtle and pervasive systemic barriers that deny access to employment, education, housing, transportation and security of person.

Those barriers have some of their harshest consequences in the workplace, where people with disabilities face well-documented discrimination throughout the recruitment process. Past wrongs can only be redressed through systemic action. I will introduce mandatory employment equity legislation to apply to both the public and private sectors, to ensure that people with disabilities, along with native people, women and visible minorities, will gain access to all levels of employment.

The right to equitable treatment belongs equally to our most vulnerable citizens. The abuse and neglect endured by many persons with severe disabilities, and frail seniors, is an issue that the disabled community has fought long and hard to address.

Last month, it was my honour to introduce the first Advocacy Act in Canada. The act will provide vulnerable adults with full access to advocates who will act as their voice and ensure that their wishes are known.

As minister responsible for disability issues, I greatly value the advice and experience of our partners in advocacy. They are primarily community-based organizations of disabled people who have worked long and hard for the right to speak for themselves. I have recently reviewed the community action fund of the Office for Disability Issues and would like to tell members that 60% of this \$1-million fund will now be directed exclusively to support and enhance these organizations.

These organizations have also worked very hard to make National Access Awareness Week a success, and they are not alone. I am very pleased to say that in almost 100 towns and cities across Ontario, advocacy groups have joined with community organizations, business, labour and government. They are bringing the message of equal access to their home communities through a wide variety of activities.

The events that I and my parliamentary assistant, the member for York East, will be attending throughout this week range from informal get-togethers with disabled consumers to Northern Voices, a conference being held at Timmins, where advocacy groups, consumers and service providers from across the north will share their views on disability issues.

The positive changes that society is making particularly benefit young people with disabilities who can assert their right to access in ways that were impossible in the past. I am especially pleased today to announce on behalf of my colleague the Minister of Health that \$4 million is being provided to speed up and improve services at 15 centres across the province for young people who cannot speak or write, or who have difficulty speaking or writing.

This includes funding of \$2.65 million to enable the centres to increase their staff so that waiting lists for assessments can be shortened and more young people can be served. The centres are receiving an additional \$375,000 to purchase much-needed diagnostic technology and to provide working space for their new staff.

Finally, a grant of \$1.1 million is being awarded to the Hugh MacMillan Rehabilitation Centre to create, and study the effectiveness of, a centralized equipment pool for expensive high-technology communications aids. The pool will serve the centres by supplying, repairing and reusing devices such as computer-assisted writing aids and voice output machines. The Hugh MacMillan Rehabilitation Centre has been awarded this grant following a tendering process.

I am also pleased to tell members that the Ministry of Treasury and Economics reports that more than \$29 million from the government's anti-recession program has funded projects to improve access across Ontario. The projects range from installing an exterior ramp and barrier-free washrooms at the municipal community centre in North Dorchester to the building of a group home for people with developmental disabilities in South Porcupine.

Throughout this week several of my cabinet colleagues will be making announcements about their initiatives to increase access for disabled persons.

I know that all of us are looking forward to taking part in National Access Awareness Week activities across this province. This government will continue to act on its commitments to people with disabilities in the year ahead.

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SUBSTITUTE DECISION-MAKING

Hon Mr Hampton: Today I will be introducing legislation in which all members of the House can feel a sense of pride and accomplishment. The Substitute Decisions Act is the result of a consultative process that spans three

administrations. The bill implements the report of the Advisory Committee on Substitute Decision Making for Mentally Incapable Persons.

The advisory committee was established in 1985 by a Conservative government, was further encouraged by the Liberals during their time in office and is finally brought to the Legislature by this government. It is legislation that will benefit a significant and often overlooked element of our society.

The Substitute Decisions Act will provide individuals who are mentally capable with the right of determining how they are cared for and medically treated if they subsequently become incapable of making decisions. At the same time the act will protect the rights of those vulnerable adults, the mentally or physically incapable and the elderly, who cannot make personal care and other important life decisions on their own.

The Substitute Decisions Act will allow individuals to maintain personal dignity and control of their lives. It will permit them to designate someone else to make health care and other personal care decisions on their behalf, specifying whether medical treatment should be continued or withheld in different circumstances. The proposed legislation will implement the concept of a living will.

I would like to acknowledge at this time the efforts of the honourable member for Carleton whose two private member's bills on this subject helped to focus this assembly on important legal and moral issues relating to this concept. I look forward to the healthy discussion and debate that I have no doubt will occur during the public hearings before the standing committee on administration of justice.

The Substitute Decisions Act will expand powers of attorney beyond property and financial matters to include personal care decisions such as shelter, health care, nutrition, clothing, hygiene, safety and religious custom. Individuals will also be able to choose in advance the types of future medical treatment to which they would consent or refuse and appoint someone to carry out those wishes for them.

The Substitute Decisions Act reaffirms the government's responsibility to protect vulnerable individuals from financial exploitation, physical abuse and neglect. The Substitute Decisions Act does away with the outdated and ineffective Mental Incompetency Act and replaces it with a workable and more humane definition of mental incapacity. Strict rules of conduct will be set out for guardians who chose to look after vulnerable adults who have no one able or willing to assist them.

To ensure legal compliance and foster compassion and understanding for disadvantaged individuals, the Substitute Decisions Act will expand the present office of the public trustee under a new name, office of the public guardian and trustee. This new body will have increased authority to supervise powers of attorney and guardianship. It will have enhanced powers to investigate allegations of physical neglect, financial abuse and abuse of powers by private guardians; and it will be the duty of the public guardian and trustee to apply to court for authority to take appropriate action.

Furthermore, the new office of the public guardian and trustee will play a greater educational role by informing and assisting people who want to know more about guardianship and power of attorney for personal care.

The Substitute Decisions Act is closely integrated with the Consent to Treatment Act, to be announced today by my cabinet colleague the Minister of Health, and the Advocacy Act, introduced last month by the Minister of Citizenship. Indeed, the Substitute Decisions Act cannot fully succeed in its purpose without a means of advocacy as set out in the Advocacy Act.

The Substitute Decisions Act and its companion legislation are guided by the themes of liberty, empowerment, self-determination and the right to make choices about one's own life.

Finally, I wish to acknowledge the unselfish contributions of the members of the Advisory Committee on Substitute Decision Making for Mentally Incapable Persons. Forty-one dedicated women and men, who represent provincial and municipal governments, advocacy centres, hospitals, psychiatric institutions, the legal community and social workers, committed their expertise and gave of their time to see this challenge through to this day. At the risk of singling out one individual, I would like to personally thank one of my senior legal counsel, Stephen Fram, who presided over this talented group.

CONSENT TO TREATMENT

Hon Ms Lankin: This afternoon I am introducing the Consent to Treatment Act. This act defines the rights and responsibilities of health service consumers and practitioners as well as substitute decision-makers.

Until now, no legislation has dealt clearly and comprehensively with consent to health services. The Mental Health Act and Public Hospitals Act have some consent provisions for patients in hospitals. In some places, such as private homes, no specific legislation governs consent. In other health care settings, the common-law rules on consent to health services apply. These rules stem from court decisions. They are not widely known, nor are they easily accessible to the average person.

This act replaces the consent provisions in other acts and ensures consistency wherever health services are delivered in Ontario.

In recent years, the need for clear and consistent rules on consent to health care has been expressed by consumers, providers, experts and interest groups. In August 1990 the Ministry of Health distributed a consultation paper on the principles for proposed consent legislation to over 150 groups. More than 60 written submissions were received.

This legislation provides clear rules on consent to treatment administered by all health providers in all settings. This act affirms the right of everyone to be fully informed when making a health care decision, enables people to express advance wishes on health care and ensures that decisions made on behalf of mentally incapable people are responsible and respectful of their rights.

The legislation also provides an exemption to the consent rules in emergency situations.

I would also like to address an important subject that we have decided not to include in this legislation. That is the subject of consent on behalf of mentally incapable persons to procedures which have no direct medical benefit for the patient. These procedures include research, organ and tissue transplant donations and contraceptive sterilization. The issues surrounding non-therapeutic procedures for mentally incapable people are very serious and complex. We have decided to undertake more extensive consultation before these issues can be satisfactorily addressed.

On 18 April 1991 the Minister of Citizenship introduced the Advocacy Act to protect the rights and wellbeing of vulnerable people. Today I am very pleased that as I bring forward the Consent to Treatment Act my colleague the Attorney General brings forward the Substitute Decisions Act, which will complete this package.

This Consent to Treatment Act will protect the rights not only of vulnerable people but of all Ontarians. This legislation will ensure that whenever health services are provided, every Ontarian will have the opportunity to make well-informed health care choices.

RESPONSES

GOVERNMENT LEGISLATION

Mr Scott: On behalf of the opposition, I, the former Minister of Health, somewhat muted, and the former Minister of Community and Social Services welcome the introduction of the Substitute Decisions Act.

The interesting thing to note about this—and we will be reading the legislation very carefully—is a new phenomenon associated with ministerial announcements. If you recognize that these three acts, the Substitute Decisions Act, the Advocacy Act and the Consent to Treatment Act, are essentially all part of a package, today marks the ninth time that these initiatives have been announced by the government. I want to congratulate them, not only on the legislation, which we will have an opportunity to examine, but about the consistent and protracted way in which this legislation has been heralded across the province by three ministers eagerly in search of a mandate.

I say that, and I bring this to the attention of the Attorney General, because I was discussing with some professional colleagues not long ago the present Attorney General, whose arrival has been greeted with enthusiasm by the bar, and they said, “Well, the only trouble is the new Attorney General doesn’t seem to have established a mandate yet, or an agenda for himself.” I said: “Well, of course he has. His agenda is to be more popular with the bar than the previous Attorney General, and he will have no difficulty achieving that rather limited and narrow agenda in short order.” The warning for the Attorney General is that he cannot hope to achieve even that narrow agenda if he keeps introducing legislation which has the imprimatur of the previous government upon it. It will lead inevitably to a chorus of me-tooism from which his personal reputation will seriously suffer.

But we in the opposition welcome these bills, and I would like to join with the Attorney General in congratulating Stephen Fram of the Ministry of the Attorney

General for the work that he has done over a long period of time in this important but extremely complex area. We look forward to examining these new bills with care.

1450

Mr Phillips: To add to my colleague’s comments, we welcome the introduction of this bill and look forward to examining the specific wording in the act. We very much agree that it is part of a package of the three bills and that they have to be considered in their totality and we will be, as I say, looking forward to doing that.

I must say that every time I hear the minister is going to make an announcement, I grab my long-term care reform book. I reread the promise that was made 21 March in response to a question on long-term care that said, “The proposal that we will be taking to the public...is now going before cabinet, so we should be able to provide him”—that is me—“with very substantial kinds of information on that score within a short period of time.”

As I say, I grab my long-term care reform book. I head over here, anxiously awaiting the statement from the minister on long-term care, and while I do not underestimate the importance of the announcement today, I can just say to the minister that the health care community is anxiously awaiting her response on long-term care. Situations are developing out there that are extremely important. Substantial numbers of hospital beds are closing, and one of the responses that the government has given is that it will be providing more community-based care. They cannot have the hospital beds closing without the attendant response on what they are going to do on long-term care.

I would hope this week will not close without us hearing the minister’s plans on long-term care so that I will not have to keep dragging over my Strategies for Change, anxiously awaiting her response on that.

Mrs McLeod: I would like to join the minister responsible for disability issues in recognizing that this is National Access Awareness Week and in commending the combined efforts of the national organizations, the corporations and the community organizations that have worked together to ensure that there is an enhanced awareness of the needs and concerns of disabled citizens. It is a commitment which all of the members of this House share.

There are a number of announcements the minister has made which are certainly steps in the right direction, and we do welcome those. They will make a difference as we celebrate what has been achieved and what is left to do. But I would also join my colleague who spoke earlier in recognizing that we continue to be concerned about the lack of announcements on long-term care reform, and specifically individualized funding for disabled individuals, which was a commitment made by the previous government. We look forward eagerly to hearing progress from this government on that.

Mr Sterling: I want to say that I welcome the introduction of these two pieces of legislation to the Legislature. I guess as a private member I am a little chagrined that perhaps it scoops two of the pieces of legislation that I have introduced and brought to this Legislature, but more important, whatever legislation evolves out of this process,

I only hope that it is the best legislation for the people of Ontario and for the people who are faced with these very difficult decisions.

This kind of legislation, in my view, is compassionate legislation, legislation which will make the decisions for family members, for friends, for the physicians who attend at these particular times much easier, because what we are doing by considering legislation like this is making the time when very difficult decisions have to be made as to whether health treatment should be continued or health operations should be undertaken much more clear as to how those decisions should be made.

As you know, Mr Speaker, tomorrow afternoon the justice committee of this Legislature will be starting to consider Bills 7 and 8, the two private members' bills that I have introduced to this Legislature, which received second reading. Over 40 groups have indicated their desire to make presentations on those bills.

I would only hope that the Minister of Health and the Attorney General would pay close attention to those presentations so that whatever knowledge is gained from those groups will not be lost in terms of dealing perhaps with amendments to these two bills. I would only hope that the Attorney General and the Minister of Health would have as open a mind as I have to accepting their legislation in place of mine. If they find after public consultations that there are some advantages to continuing on with Bills 7 and 8 to third reading, I hope they will give that an honest look after they have heard from the public of Ontario. I believe there is a valid argument that the living wills and the Powers of Attorney Act should be separate and apart from this kind of legislation, and I will of course be making that remark during the debate on these important bills.

This legislation has been a long time coming. I only say to the Minister of Health that I had wished she could have dealt with the non-therapeutic procedures for incapable people. I understand how difficult that issue is, because it is not only her government that has wrestled with it and it is not only the former government, but I know that two governments ago also the government wrestled with that very difficult question. I hope that her consultation will result in finding some conclusions with regard to that very difficult issue.

Mr Jackson: It was in 1985 that I joined with the then member for Riverdale in our mutual support for changes to the Mental Health Act, and I must say that I am sure that I share with him a rather great disappointment. Not only am I in opposition, but he is an adviser in the Premier's office, and yet nowhere in the statement today is there any clarity on the whole issue of mental incompetence, its legal definition and support for those suffering from mental disabilities in this province. The absence of that clear statement by the minister is also indicative of this government, which refused to offer any public support or commission any further discussions about the David Weissstut report on mental incompetence, and I personally am very disappointed that we are not making progress on that agenda.

I would like to say that as regards the Minister of Citizenship, disability issues, discrimination and seniors, the multi-use minister's statement today, just simply making a

statement about verbal support for the disabled community, is somewhat worthy of everyone's support. However, it begs the far deeper question that as this government embarks on a \$10-billion deficit, there were scant words, if any, in the budget for the disabled community. We now know that there is no forward progress on long-term care and that many groups in Ontario are seeking for dignity and understanding from this government, let alone from the province at large, during an awareness week.

ORAL QUESTIONS

APPOINTMENT OF ONTARIO HYDRO PRESIDENT

Mr Nixon: I have a question of the Premier concerning the appointment of Al Holt as president of Ontario Hydro. In an extensive background piece in the Toronto Star, very well written but factually incorrect in one minor item, it is clearly indicated that some of the people in the Premier's office were disgruntled and concerned about this appointment, which is a prerogative under the Power Corporation Act of the board of Hydro.

Has the Premier contacted the members of the board? Perhaps he would comment, really, on the article. Does the method of appointment concern him and can he tell the House what action he is contemplating, if any, other than support of the board?

Hon Mr Rae: In answer to the member's question, I would say to the Leader of the Opposition that, yes, I did discuss this matter with some members of the board after I received a letter from them announcing the decision to appoint Mr Holt as the president of Hydro.

I will only say to the Leader of the Opposition that there was no discussion with the government with respect to the appointment of Mr Holt, and I would simply indicate to the House that I can only say that the remaining members of the board—and it was not the full membership of the board, because there are some new appointees who have not yet been confirmed by the House—made their decision without any formal consultation with the government.

The Speaker: Could the Premier conclude his remarks, please.

Hon Mr Rae: That consultation, as I would say to the Leader of the Opposition, simply did not take place. The government is determined to—

The Speaker: Could the Premier conclude his remarks, please.

Hon Mr Rae: —ensure that Hydro is accountable and that the purposes and directions of Ontario Hydro are in conformity with the broad general direction of government policy.

1500

Mr Nixon: There are rumours that there will be a possibility for us to debate amendments to the Power Corporation Act that may change that process.

But does the Premier not feel that since the chair of the board is an appointment by order in council, with a ratification procedure that the Premier has brought in involving some members of the Legislature, there is at least that avenue for the policy of the government to be a part of the consideration of the Hydro board? In addition to that, he

will be aware of a memorandum of understanding that exists between the government and Ontario Hydro that indicates it does proceed in response to the policy of the government.

Would the Premier not agree with statements made by people in Ontario Hydro that it is important that the chief administrator of Ontario Hydro, that is, the person who keeps the wheels turning and the lights on, should as far as possible be divorced from the specific direction of the government and the head of the government or his designate, and that in fact it is sufficient as it is under the present statute to have the chair of the corporation being the person who conveys and oversees general government policy in that regard?

Hon Mr Rae: I would certainly agree with the Leader of the Opposition that the discussion around the appointment of Mr Eliesen, the deputy minister who was appointed by the member's government, a former chair of Manitoba Hydro, to be the chair of Ontario Hydro, would afford one opportunity for discussion with respect to the accountability of Ontario Hydro.

The Liberal government in 1985, prior to its election, announced that it was deeply concerned about the accountability of Ontario Hydro and then proceeded by virtue of its amendments to the Power Corporation Act, in our view on reflection and on closer examination, to cut Hydro further loose from public accountability than is the case for any other public utility in Canada.

Mr Nixon: I am sure the Premier would understand the opposite side of the coin that he has flipped into the Legislature is that there are those who believe that the government has no role in the day-to-day operation of the largest utility in Canada and one of the largest utilities in the world, and that as soon as any kind of political philosophy, socialist or otherwise, intrudes into the operation of the utility, then the consumers and the taxpayers are not well served.

Would the Premier not agree that the present Power Corporation Act, which gives him, in consultation with the governor, the right to establish the chair of the commission, which would reflect the policy of the government, is good and sufficient and leaves independent at the hands of the board—which by the way is appointed by order in council as well—leaves the operation on a day-to-day basis and the long-range operation as well in the hands of those administratively competent and those with sufficient experience in the operation of a major corporation, borrowing \$5 billion a year and managing assets of \$35 or \$36 billion? Surely there is sufficient means whereby the policies of the government can be brought to sway and to focus on the development of Ontario Hydro without his concern that other provinces seem to do it differently.

Hon Mr Rae: I would only say to the Leader of the Opposition that up until the changes that were introduced by the Liberal government in the post-1985 period—indeed I think I am right in saying that in common with every other major public utility in Canada—the chief executive officer was the chair and the chair was appointed by the government of the day. It was the member's govern-

ment that decided to change that, that decided to give to the Hydro board the power to appoint the president, apparently without any real consultation with the government in terms of the process.

We intend to take steps to ensure that Hydro is in fact accountable to the Legislature, is accountable to the public and clearly reflects the general direction, in a very general sense, of the importance of conservation, efficiency and responsiveness to the needs of the public. That is the direction we intend to follow as a government.

Mr Nixon: From my point of view, the Premier's answer indicates that he really wants to run the place out of the corner office, but we will have a chance to examine that if he does present his alternatives.

MINISTERIAL RESPONSIBILITY

Mr Nixon: I would like to put a question to the Attorney General. On 29 April, he indicated that he expected the report from the RCMP concerning allegations involving the Solicitor General's staff interfering in the judicial process to be completed by 3 May. It is now 27 May. Can he give some indication as to where that report is? Has he received it? What is going to be the disposition of that material?

Hon Mr Hampton: The report from the RCMP was received by senior advisers in the criminal law division, I believe on 17 May. I saw it for the first time earlier today.

Mr Nixon: We will certainly ask the Attorney General what the disposition will be. As he will recall, his predecessor made public such a report, and I think under the circumstances the minister might very well indicate that he will table this as a public document.

Has the Attorney General been made aware of allegations of further interference from the Solicitor General's office with regard to the day-to-day police responsibilities in the matter of the Budd strike in Kitchener? Without pressing your patience, Mr Speaker, I would simply say the indications are that after there was some difficulty on the picket line, some of the people involved were charged with assaulting a police officer, and according to union officials, the Solicitor General's office was contacted to "see if they could put pressure on the police to withdraw." As a result of this apparently the president of the corporation has indicated publicly his dissatisfaction.

Is the Attorney General aware of that matter? Does he consider this a matter that might also be investigated, since it is a further indication that the Solicitor General's office tends to be somewhat unaware of its overall responsibilities?

Hon Mr Hampton: If the Leader of the Opposition has allegations he would like to bring forward, if he has the details of these, I would appreciate receiving them. The information I have is that a phone call may have been placed to the office of the Solicitor General. I have received no other information. I suspect that the Leader of the Opposition knows that literally hundreds of phone calls may be made over the course of a week on various matters of public interest. If he has more information other than just that a phone call was made, I would very much appreciate receiving it.

Mr Nixon: I think the minister may very well have read the same quotes in the press as I have, and they certainly concern me. John Coleman, the president of the union, after he stated the phone call was made to see if they would put pressure on the police to withdraw, stated: "They"—the police—"certainly helped our cause by standing back. They took a neutral position, which put more pressure on the company."

I think the honourable Attorney General must further be aware that following those instructions, which according to the union president were successful, acts of vandalism followed, including the burning of a car, the cutting of a rail line, the destruction of a hydro vault, which cut electricity to a wide portion of the city of Kitchener, and to date no action has been taken.

Is the minister not concerned, as the chief law officer of the crown, about the activities, if not of the Solicitor General, apparently and by allegation of his senior political staff member, that have led to this mess?

1510

Hon Mr Hampton: Again, if the Leader of the Opposition has more specific information than he has offered here today, I would be pleased to receive that information. The repetition of secondhand or thirdhand accounts in the newspaper I am afraid is not sufficient, but I invite him, if he has further information, to bring that forward. I would be interested in having a look at it.

PARLIAMENTARY PROCESS

Mr Harris: I have a question for the Premier. I want to acknowledge and thank him for his note, just sent over to me a few moments ago, suggesting that we meet tomorrow to discuss the business of the House. I am disappointed that the note came after the Speaker's ruling and not nearly two weeks ago when I phoned the Premier's office and suggested it might be beneficial if he and I personally met to discuss the business of the House. However, I do want to acknowledge the note and thank him for that. I am sure we can find a satisfactory time tomorrow.

I would like to ask the Premier whether, by way of suggesting that we meet, he is indicating a willingness to discuss a process to have full public hearings on this budget.

Hon Mr Rae: Mr Speaker, I was simply responding to your recommendation that there should be discussions. Given your decision today, I thought it was appropriate almost immediately in response to that. The leader of the third party stepped out for a bit. I went over and chatted with the Leader of the Opposition and gave him a little note, and I wrote out a little note to the leader of the third party suggesting that we get together tomorrow. Whatever emerges from that meeting will emerge.

Mr Harris: I am disappointed that the Premier would not respond to my request of two weeks ago, and I do not mind saying that. I am most disappointed that his party attempted to put the Speaker in a very untenable position, to avoid even meeting with me, just as he is avoiding meeting with the public on a number of issues, to avoid meeting with me or the leader of the Liberal Party. I would ask the Premier again whether he is prepared to discuss a

method for the public to have input by way of hearings on his budget.

Hon Mr Rae: There will be a number of things discussed, I think, at a meeting at which the leader of the third party will bring up some things and the Leader of the Opposition will no doubt have some good ideas, and I may have one or two suggestions to make as well.

Interjection.

Mr Harris: We will see what takes place at the meeting. One of the NDP members says the House is a vehicle. The House is a vehicle. Actually, there is a method to bring the public before the bar of the House, and that may be one of the ways the public can have access to make their comments on this budget.

On 6 May, in response to my question about the budget—a budget, I might add, which we have had now for about a month that is 180 degrees in the wrong direction—at that particular time, the Premier indicated in response to a question to me that he was prepared to debate that budget anywhere, anyplace. I ask the Premier if he will commit today that, after we discuss the public hearings process tomorrow, we can discuss as well the times and places across this province where we can have the type of public debate that he said he was prepared to take place?

Hon Mr Rae: In fairness, I think the leader of the third party reminds me very much of the statement made by the Prime Minister in Hong Kong and in Tokyo. I would like to get an accurate sense of exactly what was said. I said he should name the place, and then I said—and he never quotes this in his letter or in his press conference—why not do it right here? I would repeat that statement here.

Later the same day, the leader of the third party gave me an answer: It was Chicago Bay, Chicault Lake, Chickadee Lake, Chicken Farm Lake and Chicken Liver Channel, and that has been the extent of his contribution to the budget debate since that time.

Mr Harris: The Premier will know I said I was prepared to accept his place in this House provided he was prepared to accept my place outside the House with the people in Chickadee Lake, Lake Nipissing, Lake Ontario, wherever, across this province; second, I said after we give the public an opportunity to have its say. If the Premier is prepared to accept my locations here for the public, I am prepared to accept his.

ONTARIO PUBLIC SERVICE SALARY INCREASES

Mr Harris: My second question is to the Treasurer. I was appalled last week to learn that he, the Treasurer of this province, the one who holds the taxpayers' purse-strings, was unaware that the Chairman of Management Board had given away the store to middle management and executives in the civil service. I presume that since returning from his trip to New York, he has been fully briefed on what has been happening on this side of the border.

Now that he has been briefed, as I assume he has been, would he tell us if he agrees with the view of the Chairman

of Management Board that, in times of economic hardship, it makes sense to give salary increases of 11%, some say up to 20%, to our civil servants who are already earning \$60,000 to \$100,000? Does that make sense to him now that he has found out about it? Does he agree?

Hon Mr Laughren: Perhaps I could put the beginning part of the remarks of the leader of the third party in context. When I was asked about that question in New York, it was not put to me with the details involved in it. I was just asked if I was aware of some large increases that went to some civil servants. I said I was not aware of what the reporter was talking about and that I would happy to pursue it further.

In order to be fair, I think the leader of the third party should understand that when increases are given within a ministry, even if there might be some people within that ministry with larger-than-normal increases, those increases must be funded from within an envelope that is not allowed to expand just because someone from within that section received a merit increase.

Mr Harris: While the brothers and the sisters in the private sector are losing their jobs, cutting back, seeing their incomes decline and becoming unemployed, this government is carrying on in the public sector as if it is business as usual or better than usual.

How can the Treasurer justify to the taxpayer who is trying to keep his head above water that he has handed over \$11,000-plus of taxpayers' money not just to one civil servant who holds these recession-proof jobs, but to thousands who are already making up to \$100,000 a year?

1520

Hon Mr Laughren: The leader of the third party is simply not being fair. He really does not know what he is talking about. The increase was limited to 5%, and the leader of the third party is the first one to claim that there needs to be performance incentive in the public sector. That is simply what we are trying to do. There was also a compression of the number of classifications in the civil service and we think that, all in all, that is going to make for better management of the public sector in the province.

Mr Harris: In the private sector there is incentive; you are fired if you are unsatisfactory. Does the government have to bribe people to come to work and do a good job?

The Chairman of Management Board was quoted on the weekend as saying—

Interjections.

The Speaker: Not just the member for Cochrane South, but other government members, I know you are enthusiastic, but curbing enthusiasm for a little bit would be helpful.

Mr Harris: The Chairman of Management Board was quoted on the weekend as saying, "It would seem to me that the economic indicators at this point in time would lead us to a figure that is very different." She was referring to the salary increases next year, very different from the 6% civil service salary increases she gave away last fall or from the 11% to 20% to those in the \$60,000 to \$100,000.

I guess I should be thankful the Chairman of Management Board is starting to see the light and is finally able to say that nasty R-word, restraint. I appreciate and applaud that. But does it make sense to the Treasurer that while revenues are in a decline—we are in the depths of the recession; the private sector, those having to pay the taxes are losing their jobs—that the big increases are this year and that he will start restraints next year when, as he says in his budget, everything is rosy, 3.7% growth, the good times are here, happy days are here again? How does it make sense that he is going to wait until then before he starts to bring in restraint in the public sector?

Hon Mr Laughren: First of all, the leader of the third party is implying that all sorts of people get large increases. There are people who will get zero increases. The people who will get larger increases are the ones who will earn those larger increases.

If I could be fairminded about it for a moment, the leader of the third party has been in his job for about a year now. Even though he has not reduced his party's debt beyond \$5 million, I do not think he should be fired. I think he should be given more time.

CROSS-BORDER SHOPPING

Mrs Y. O'Neill: My question is to the Minister of Industry, Trade and Technology, who I consider to have made some rather strange statements about this year's budget over the weekend.

The Liberal budget task force is examining the impact of this government's disastrous budget in Windsor today for the past president of the Automotive Dealers Association and others. The 30% hike in the gasoline tax and the government's announced plan to take away the city's option for Sunday shopping are the straws that have broken the camel's back. This prominent businessman in Windsor said today that he would not invest a cent in that city if he were starting over.

The NDP is driving shoppers, and now merchants, over the border. The number of shoppers who declared duty rose by 59% between this January and April, and that says nothing about those who did not declare duty. Six gas stations have closed in that city in that time. At the same time, 26% of Windsorites surveyed said they would shop in Windsor if they were allowed to shop on Sunday.

How long will the cars line up on the bridges to the United States before the minister presents to this House and implements a strategy that will keep Ontario shoppers and merchants in our province?

Hon Mr Pilkey: This government will be bringing forward a statement with respect to cross-border shopping very shortly, and that will not be taking a great deal of time. However, I must reiterate that the issue of cross-border shopping and the control at the federal border points is a federal government issue.

We as members of this Legislature will do what we can to assist Ontario merchants to cope with this free trade agreement, with the GST and all of the other negative circumstances that have led to people increasing their cross-border shopping habits.

My cabinet colleague the Minister of Revenue recently went to Ottawa and met with the Honourable Otto Jelinek. It was disturbing to me to see the response of our federal government. Apparently Mr Jelinek commented in that meeting that he regarded the cross-border shopping issue as a societal one, not federal or provincial.

While we in Ontario have a very real concern for what is happening to our Ontario merchants and while we have joined hands with the mayors of those border communities—

The Speaker: Will the minister conclude his remarks, please.

Hon Mr Pilkey: —it is imperative that the federal government own up to its responsibility and realize that its borders need its protection.

Mrs Y. O'Neill: This answer is very similar to answers I have had from other ministers on the other side. In my questions I continue to talk to provincial issues, gasoline tax, Sunday shopping laws, and they continue to divert from my questions.

The NDP's strategy to spend its way out of the recession has been to run up a \$10-billion deficit. That is the solution offered by this government; \$700 million was allocated to the anti-recession fund. In the hearings today in Windsor, Sarnia's mayor, Mike Bradley, said that the anti-recession fund is a sham and that it is nothing new. "It was money we would have got anyway in the normal course of events."

Municipal leaders agree with our caucus. If the NDP is serious about fighting the recession and cross-border shopping, it would start by rescinding the gas tax and leave in place a municipal option for Sunday shopping. These are just two measures which would help Ontario merchants to compete with American businesses.

Is the minister prepared to guarantee to this House today that those two requests are being seriously considered and that he is not going to take the other option, which is to have the 28,000 jobs estimated to be lost in the county of Essex?

Hon Mr Pilkey: I can assure the member that all options are being considered by my ministry and this government with respect to this very difficult question of cross-border shopping.

In terms of Mayor Michael Bradley, a gentleman who is the mayor of Sarnia, whom I know and have known for some time and who, I understand, was an unsuccessful Liberal candidate in the last provincial election, it has been my practice to discuss with him, as with former mayors and colleagues of his, that we as former mayors welcomed provincial expenditure on infrastructure that have benefited our communities in the past, as it will benefit Ontario communities in the future. I believe that the vast majority of mayors, at least those not with biased political strings attached to them, will quite welcome the Treasurer's \$700-million anti-recession program.

The Speaker: Conclude your remarks, please.

Hon Mr Pilkey: I will.

Further, relevant to the primary question, I addressed the Ontario Chamber of Commerce at its annual meeting in Peterborough, at which time my remarks were very

warmly received and appreciated by those who came forward. I would like to indicate to them that after some delineation of what this budget has meant to business, it is not all doom and gloom in those sectors.

MINISTERIAL RESPONSIBILITY

Mr Carr: My question is for the Premier and deals with the actions of the Solicitor General during the Budd Canada Inc strike. I would like to read a quote from the president of the company: "We had information that Queen's Park was getting involved and limiting the response the police were giving to the company."

My question is very simple. Does he believe it is appropriate for the Solicitor General's office to intervene and support one side during a labour dispute, and why did the Solicitor General's office not leave it up to the fine Waterloo Regional Police to handle the situation?

Hon Mr Rae: I have no reason to believe there was any intervention on one side or the other, by the office of the Solicitor General or by the Solicitor General. If the member has any additional information to provide with respect to what happened, I would be very glad to consider it, but I have no particular evidence to suggest that there was any partisan interference or political interference by the Solicitor General at all.

1530

Mr Carr: The fact is, both sides in the dispute believe there was.

Interjection.

The Speaker: Would the member for St George-St David restrain himself, please.

Mr Carr: The president of the company believed there was some influence, and the chap who is the president of the local of the Canadian Auto Workers said: "They"—the police—"certainly helped our cause by standing back." So both sides in the dispute—it is not one side—believe there has been some interference.

In fact, in a reply to my colleague the member for Waterloo North, the Solicitor General said, "It would be a very sorry day if politicians were to select communities where the law would be enforced." That was the reply that he had.

Will the Premier investigate the circumstances surrounding this in light of the fact that the Solicitor General already has had some circumstances surrounding another incident? Will he look into it? Will he check out the circumstances so that the public can feel confident that the Solicitor General is not interfering in the justice in this province?

Hon Mr Rae: When any member raises a question with respect to a matter, of course I will look into it in response to a question. But in terms of what I have heard today, leaping from conclusion to conclusion, which is good exercise for members of the opposition but not a way in which we can proceed, I have not heard anything that would lead me to believe that the Solicitor General interfered with the conduct of the police at all. I have not heard that particular evidence in any of the statements that have been made by members opposite today.

AFFORDABLE HOUSING

Mr Hope: My question is of the Minister of Housing. In the budget speech we were told of plans of thousands of affordable housing units currently in development. While two grants have been announced in my area by the ministry, I would like to talk about a specific project. Canadian Auto Workers Local 127, our brothers and sisters, have had a proposal for their project in Chatham since 1987. The previous administration never acted on the union's project. Can the minister tell me how he is going to handle this worthy proposal?

Hon Mr Cooke: It will come as no surprise to members that just a couple of weeks ago we notified Labourview Co-operative Homes that we will be funding 50 units with its co-operative housing in order to house people in Chatham and to create jobs in Chatham. The member is quite correct that this has been a long-outstanding request from this community group.

Mr Hope: I want to thank the minister for his expediency, as in 1987 we saw the Liberals, now the opposition, take so long. However, can the minister assure the people of Ontario that the government plan for affordable housing is going to be one that is going to benefit all the residents of Ontario?

Hon Mr Cooke: In an effort to create housing quickly in this province and to create thousands of jobs during a recession, we are engaging in a program of quick starts which will take advantage of the thousands of units that were supposed to be started under the previous government, that never got under way under the Homes Now program, so that those jobs can be created now in the province of Ontario.

NORTHERN HEALTH SERVICES

Mr Miclash: My question is for the Minister of Health. After her government took office, a headline appeared in the Kenora Daily Miner and News. It announced to the residents of Kenora that health is the NDP's priority in the north. In fact, the now Attorney General said that health care would be at the top of the list when it came to the priorities of the NDP northern caucus.

Therefore, when the residents of the area heard at the Northwest Ontario Municipal Association convention that the Premier said that \$15 million in capital funding allocated to the Kenora-Rainy River District Health Council last year by the Liberal government was news to him and he was not bound to honour it, I must say the people in northwestern Ontario were shocked.

Why is the government commitment to northern health care being tossed out? I am not talking about a Liberal government commitment, but a promise that the minister's colleagues made to the people of the north that northern health care would be a priority. Why is it that now the minister thinks it is appropriate and fair to change the rules?

Hon Ms Lankin: I appreciate the opportunity to respond to that question. Quite frankly, I think the member has misstated what the Premier said in the meeting he refers to. However, let me say that the commitments my

colleagues have made with respect to northern health care being a priority for us is exactly true.

May I point out to the member that we have taken steps with respect to northern health care travel grants. We have taken steps under the anti-recessionary program, much of it being capital expenditure and much of it being from the Ministry of Health, to ensure that northern Ontario received a very generous proportion of that anti-recessionary spending.

May I also point out to the member that today we have sent out a release making an announcement with respect to a new residency program in northern Ontario to try to develop doctors who spend time in residency in northern Ontario, hopefully to promote further doctors relocating there from the south to the north.

There are a number of measures we are undertaking with respect to northern health care, and it does remain a priority for this government.

Mr Miclash: I have laid forth a specific grant that we are talking about, a \$15-million allocation to the Kenora-Rainy River District Health Council. Last September the Attorney General promised that this capital allocation would remain in place. He has suggested the process was moving. The government, as the minister knows, was a partner at this table. It was a part of the process, and the recommendations are now on the minister's desk.

I really want to know what kind of organization they have over there. We have the Attorney General saying one thing; we have the Premier saying something else. I want to know from the minister where this commitment lies. They have been working on this commitment, as I say, for the last eight months, with the minister's involvement. I am asking, after a 13% increase in the minister's provincial budget, whether she is willing to meet this commitment, the one that we had budgeted for in the previous government?

Hon Ms Lankin: Again, I suggest that what the member has said about comments made by the Premier does not accurately represent what he actually said that day. But I will look into that and ensure that I have a knowledge of what the Premier said that day.

With respect to commitments that have been made by a previous government for capital allocations, I think it is quite clear that a number of commitments were made during the campaign period that in fact need to be reviewed in light of the actual expenditure practices of the new government. That process has been taking place.

The member indicates that I have had some eight months' involvement in this issue. He knows that also to be untrue. I will try to get further specifics and respond directly to the member on his question.

1540

WAGE PROTECTION

Mrs Witmer: My question is for the Minister of Labour. Upon the introduction of Bill 70 on 11 April, the minister stated that officers and directors would be given a three-month grace period after the date of proclamation to obtain directors and officers liability insurance. This implies the minister considers that liability insurance for his

wage protection fund will be readily available. Would the minister at this time inform the House specifically which—

Interjections.

The Speaker: I am attempting to hear every syllable of the question and it is a little difficult because of the cross-fire between the member for St George-St David and the member for Guelph. If both of you could just curb your enthusiasm for a few moments, I could hear the question.

Mrs Witmer: Would the minister inform this House specifically which insurance companies will offer directors and officers liability insurance, and what will the average cost of this insurance be?

Hon Mr Mackenzie: The member should know that the question of insurance or liability insurance for officers and directors is a difficult part of the bill. There is insurance available. We have a list of some of the rates. Some of it is fairly expensive. The question is whether we can get on with the bill and decide if there are good reasons whether or not this should be necessary. If we can get on with the bill, we might be able to resolve that issue.

Mrs Witmer: I am very surprised and I am very disappointed at the minister's vague answer to this question. To me, it clearly demonstrates that this bill was drafted without a clear understanding about the availability of directors and officers insurance. We know that currently only two companies offer directors and officers insurance, and they serve only a small percentage of companies in this province. The prime factor in determining the willingness of an insurance company to underwrite this type of insurance is a firm's financial ability, and as one Chubb Insurance executive put it, "We don't take on burning buildings."

Obviously, the firms that will be most in need of insurance against claims under Bill 70 will be those whose financial positions are unstable. These firms will undoubtedly find most insurance companies unwilling to underwrite them. Without protection, small- and medium-sized companies are going to have to opt to close rather than face personal liability. Jobs will be lost.

The Speaker: Would the member place her supplementary, please.

Mrs Witmer: Is it the intent of the minister's legislation that more jobs will be lost in this province? If not, what does he intend to do about this legislation?

Hon Mr Mackenzie: The member should know that this is not the intent. The intent of our legislation is to protect at least 56,000 workers in the province of Ontario who do not have and have not collected money they have already earned. That is the intent of the legislation. That is exactly what we are trying to do with the legislation.

HAZARDOUS WASTE

Mr Hansen: I have a question of the Minister of the Environment. In my riding of Lincoln there is a proposed site for the hazardous waste treatment facility of the Ontario Waste Management Corp, which is the subject of ongoing public hearings. We have heard some positive statements from the minister about reduction of solid non-

hazardous waste, but I am wondering if she could inform the House of her plans in the area of hazardous waste reduction.

Hon Mrs Grier: To respond, as the member knows and has said, there is a consolidated hearings board hearing under way at the moment and I cannot respond to the details before that board, but I can tell the member that he is correct that just as this government's approach to municipal solid waste has been to reduce and reuse as much as possible, the same principles apply to industrial waste. There are many opportunities where one industry's waste is another industry's raw material. We certainly think this is a far better approach than disposing of that waste.

Mr Hansen: I thank the minister for that response and I realize she cannot address the question of the OWMC hearings. It seems to many people in my riding and perhaps elsewhere in Ontario that the primary focus of the Ontario Waste Management Corp is on the disposal facility now before the hearing board. Perhaps the corporation is not bringing enough effort to bear on the other side of the coin—reduction.

One way to reduce hazardous industrial waste is through the waste materials exchange between industries. The Ontario waste exchange is something that is part of the budget of the OWMC, an agency which reports to the Minister of the Environment. How much attention is the OWMC paying to the waste exchange? How much money is being spent by the Ontario Waste Management Corp and the Ministry of the Environment on waste exchange? How much waste is being diverted through the waste exchange?

Mr Cousens: Good question.

Hon Mrs Grier: It is a very good question and I am glad to be able to tell the member that the Ontario waste exchange is funded by both the OWMC and the Ministry of the Environment. In 1990-91 Ontario Waste Management Corp contributed \$94,000, while the Ministry of the Environment gave \$70,000 to the Ontario waste exchange. I see that as a very productive way of coming to grips with reduction and reuse of industrial hazardous waste, and it is certainly an approach that I intend to support and to accelerate.

CAPITAL FUNDING FOR SCHOOLS

Mr Beer: My question is to the Minister of Education. It is now a month since the provincial budget was presented in this House. At that time dollars were allocated for capital construction for schools in this province.

It is practically the end of May. As the minister knows, for school boards to get decisions on what capital is going to be provided so that they can get to work and provide the schools, those that are going to be for elementary use take at least one year; at the secondary level, at least two years. So every day in the spring when shovels can be in the ground and work can be in process not only means that those schools are going to be ready for the kids when they are needed, but right now in particular it means jobs during a hard recessionary time.

Will the minister tell this House when she is going to be telling school boards what capital they will have so they

can get on with the job of building the schools that are needed now?

Hon Mrs Boyd: The allocations are being finalized even as we speak and I expect that they will be announced by the end of this week. However, I would like to remind the member opposite, as he well knows, that these allocations are for the 1994-95 year. There is lots of time for the communities to make their plans to get shovels in the ground.

Mr Beer: As the minister will know, it was in fact the former government that brought in the program of multi-year funding and making a commitment to providing funds so that it would know in its planning process exactly what it could do. But the minister will also be aware that especially in the fast-growth areas of York, Durham, Peel and Carleton and other major centres—and my colleague the member for Mississauga West brought to my attention some specific problems in that area, as were brought to other members during the break—the minister knows that a lot of these are linked in terms of staging and at just what point in time various things will happen. Boards can make changes within that, and so it becomes very important.

What I think is unclear is why it has taken so long for the ministry and for the minister to make those decisions. Will the minister tell us today when those announcements will be made?

Hon Mrs Boyd: I certainly will. They will be made by the end of this week. I did say that in answer to the first question. I would also say to the member that the reason it has taken so long is that we are reviewing the policy decisions, the policy requirements under the capital allocations fund. As was indicated in the budget, there are some new directions we want to see taken in terms of the community use of schools that will be incorporated into that policy decision, and that is exactly why it has taken the length of time it has.

TIRE RECYCLING

Mr Cousens: My question is to the Minister of the Environment. There was just a new heading to the effect, "Ontario Increases Trade to the United States of America." We are shipping 800,000 tires from Ontario across the border. That is what my question deals with. A spokesman from her ministry announced on the weekend that we are going to be shipping 800,000 tires from an unsafe storage site in Hamilton to the United States of America for recycling.

The Speaker: And the question?

Mr Cousens: I repeat: shipping 800,000 tires from Ontario to the States, and I can just see everybody being so excited. It appears that the minister is advocating the shipment of waste, not just from one part of the province to another, but to a foreign country in this case. Given the minister's—

Interjection.

Mr Cousens: It is a foreign country. Sure it is, and if those guys keep on breaking down the borders, who knows what will happen? They are taking the crown away. They are taking everything. We are talking about trade.

The Speaker: Is there a question?

Mr Cousens: Given the minister's past statements that oppose shipment of waste from Toronto to Kirkland Lake, does she not feel that this policy of shipping waste to the United States is a little bit hypocritical, or is this the beginning of yet another new waste policy for the province of Ontario?

Hon Mrs Grier: Let me begin by saying I am glad there is at least one Progressive Conservative who still considers the United States a foreign country. Let me also say to the member that, as I am sure he is aware, the pile of tires that he is referring to, P & L Recycling site outside Hamilton, has been a very serious concern for quite some time. My ministry had issued a control order asking for a cleanup. My predecessor had enormous concerns after the Hagersville tire fire about that site, and we have been striving to find a way to get the site cleaned up and the tires disposed of. We did not wish to see those tires incinerated, either accidentally or purposefully, and we felt that there was a very real concern about the way in which they were being stored and the manner in which security existed at the site.

We have now issued a contract, or are about to do so, to a local company in the area which has guaranteed that the tires can be shredded and can be recycled. The only location that had facilities large enough to deal with that was in the United States.

1550

Mr Cousens: I think it is a disappointing statement that the minister just gave. She has preached to us again and again that we must take care of our own waste here in the province of Ontario and in the community in which we live. A special tax was created to do this—the tire tax, which has created well over \$100 million. It is available right now to create solutions in Ontario to Ontario's tire problem.

Entrepreneurs have again and again proposed environmentally sound, job-creating solutions to our own tire problem, only to be ignored by the ministry. The frustration with the minister's lack of action on this matter is real. One need only look at the angry resignations from the minister's scrap tire task force to understand what I am saying.

This province can now only process one 10th of the waste tires it creates every year. When is she going to develop a working system to process all of our waste tires within the province?

Hon Mrs Grier: I can assure the member that I am attempting to develop that system just as soon as I possibly can. The funds that have been expended as a result of the revenue collected from the tire tax are looking at pilot projects to do just that. Very many of them have the potential to be successful, but in the interim we have situations such as the P & L site in Wentworth that we consider to be unsafe and a risk to the environment. In those situations, we have to take those decisions that we consider are in the best interests of the environment, because that is our bottom line.

ONTARIO MUNICIPAL BOARD

Ms M. Ward: I would like to ask the Attorney General a question about the operations of the Ontario Municipal Board. On 18 February 1991, East York council adopted a resolution from the economic development and planning committee which reflected a similar resolution passed by Cambridge city council regarding a review of the Ontario Municipal Board's staffing. This resolution stated that the Ontario government had issued a policy statement on land use planning for housing which requires all municipalities to speed up the planning process, and yet it is the current OMB backlog itself that is adding more delays to the planning process.

In order to alleviate this situation, both councils recommended that our government conduct a review of the current staffing levels at the OMB. I would like to ask the Attorney General if these claims are indeed valid, and if so, what is he doing to address them?

Hon Mr Hampton: I can tell the member this: At my office, we have also received some complaints from municipal councils and from members of the public regarding the current case backlog at the Ontario Municipal Board. I can tell the House that this backlog has been there for some time and it is as well something that we have inherited from governments of the past.

However, it is my understanding that in part the current backlog is due to the fact that some members of the board have retired recently and others are unable to assume a full work load because of ill health. But it is my understanding that in our most recent search for candidates there are four intended appointees. I believe three of the current members have also been reappointed.

Finally, I think there are some further openings, and I can advise all members of the House that if they know of individuals who might be able to fill a position at the OMB, they should forward their names. We would be particularly interested in receiving applications from minority groups that so far are underrepresented on boards and commissions in Ontario.

ONTARIO PUBLIC SERVICE
SALARY INCREASE

Mr Sola: This is similar to the question posed by the leader of the third party. Less than two weeks ago, a news leak revealed that the NDP would spend between \$20 million and \$30 million to increase the salaries of senior civil servants. The secret increases will go to about 2,200 top administrative—

Hon Mr Wildman: Secret?

Mr Sola: —to Management Board. They will go to 2,200 top administrative positions with individual raises totalling as much as \$11,000 per person. This increase is about as much as a single parent supporting a child receives in welfare payments for a whole year. The government kept the policy under such secrecy that even the Treasurer was not aware of it when questioned last week. According to his answer today, I think he is still not too sure of what the party's position is.

Has the Chairman of Management Board undertaken to inform the Treasurer, who is sitting right beside her, and

can she confirm whether these up-to-now-secret pay increases will still be implemented?

Hon Ms Lankin: There are times I find the experience in the Legislature amusing, and when a member of the official opposition refers to secret plans, secret reports, secret increases that in fact were the plan of the previous government of which he was a member, it strikes me as somewhat amusing.

With respect to his question about the Treasurer, may I say that the Treasurer was fully informed of this. He explained earlier that in fact the way the question was put to him, it was not with any detail to trigger in his mind that we were talking about the creation of the senior management group.

Specifically, let me address the content. The plan, of which I think the member should be well aware because it was brought about by the previous government, by his government when it was in power, realigns within the very senior levels of the civil service to create a new senior management group. It takes the 650 people who were part of the executive management compensation plan, along with about 1,400 people in the top, very senior levels of the middle management compensation plan, and combines them to create a new senior management compensation plan.

The job evaluation that was done during the period of time his party was in government has taken what we did have, about seven to eight levels of senior management, and condensed them into three; delayed, which is a very positive aspect of it.

What we are funding is nowhere near the number the member talks about. It will cost about \$8 million. The 5% economic increase is the number that we are funding to ministries—

The Speaker: Could the minister conclude her remarks, please.

Hon Ms Lankin: It is a very complicated issue; I will try. Very quickly, let me say that by that funding envelope being limited to what ministries are given, they will have to fund from within, which means also a streamlining and a reduction in the number of people. I will also perhaps in supplementary be able to talk to members about the aspect of this which brings about pay for performance, which we think has merit as well.

Mr Sola: The plan may have been devised by our party when we were in government, but I would advise the minister that this was during a period of boom times and we have to question her sense of priorities in bringing it about at this time.

As to the secrecy aspect, I think it strange that I have to be informed of this by a reporter for the Financial Post trying to find out my reaction to it, and by the fact that the minister waited until the House recessed before even the leak was leaked out.

Referring back to the Treasurer, he has told taxpayers and American financiers that the NDP intends to be vigilant in controlling the deficit, but at the same time, when faced with the choice of fighting the recession or the deficit, he chose to fight the recession.

The Speaker: And your supplementary?

Mr Sola: I am getting to it. It is difficult to understand how these pay increases fit in with either of these government priorities. Could the Chairman of Management Board explain to the House whether the 14% pay increases for civil servants are designed to help the government fight the deficit or whether they were designed to help fight the unemployment caused by the recession?

Hon Ms Lankin: Once again, the member misrepresents the numbers when he says a 14% increase for civil servants in the plural, in large numbers, in an all-encompassing expression. In fact, what is happening is a system which again I would say he should be very familiar with, given it was his government that developed it. May I say that it was approved by the Premier's advisory council in July 1990. I have no idea why the press just found out about it in the last week or so. There is no secrecy to this. There is no secret implementation. This has been around for two years now. It was approved, in terms of the approval of the Premier for the member's government, in July of last year.

Let me say that the increases people will get will range from 0% up to a number not as high as 14%. That is an exaggeration. It is a pay-for-performance structure that will be put in place that will reward people when they meet things that are set out in their performance contracts. These are things like creative risk-taking and expenditure control, the very things that some members in the third party have been saying should be put forward as part of a performance contract, should be rewarded. That is exactly what we are going to do. We think it is a very important step. May I also say that, having been in place for two years—the work on this, the investment that people made into the job evaluation plan, into the re-evaluation, into the de-layering, and into the streamlining—it would have been odd had we abandoned it midstream when it was already in the process of being implemented.

1600

FRENCH LANGUAGE SERVICES

Mr Grandmaitre: On a point of order, Mr Speaker: I am very concerned that the latest publication from the Ministry of Citizenship, more specifically the Office for Senior Citizens' Affairs—this guide for senior citizens' services and programs in the province of Ontario—says on the inside cover that this publication is also available in Braille, Portuguese, Polish, Italian, Greek, English and Chinese. Guess what? The French copy is missing. It is at the printer or it is lost in the shuffle.

This is not the first time that I have risen on a point of order of such kind, and I think that the Minister of Citizenship should know better. She should realize that she must adhere to the requirements of Bill 8, and I find this appalling and inexcusable.

The Speaker: The member may know that it is not a point of order, but the matter which he brings to my attention is something which is very important.

PETITIONS

AUTOMOBILE INSURANCE

Mr Chiarelli: Today I am tabling a series of petitions signed by over 10,000 men and women currently employed in the auto insurance industry from across Ontario. These include Woodbridge, Wingham, Windsor, Whitby, Toronto, Scarborough, St Catharines, Owen Sound, Ottawa, Niagara Falls, Mississauga, Milton, Marathon, Kingston, London, Kitchener, Hamilton, Guelph, Belleville, Barrie and Aurora, including a petition from as far away as New Brunswick. These petitions fill a whole cardboard carton.

I will simply read one petition representing very many petitions which have been signed, as I indicated, by over 10,000 signatures.

The petition reads as follows:

"To the Honourable Lieutenant Governor and the Legislative Assembly of Ontario.

"We the undersigned beg leave to petition the Parliament of Ontario as follows:

"Whereas a government takeover of the automobile insurance industry will involve job loss and dislocation for private-sector employees; and

"Whereas a government monopoly leads to increased costs, to inefficiencies and hidden tax subsidies and eliminates the public's right to individual freedom of choice;

"We believe that the insurance industry needs of the Ontario public are best served by private industry in an open, competitive, free enterprise market rather than a government-run monopoly."

MINISTERIAL CORRESPONDENCE

Mr McLean: I have a petition here that I have been asked to present, and I had it checked with the Clerk's office and found it to be in order.

"To the parliament of Ontario:

"Whereas the world is seeing Canada/Ontario, as a free and democratic society;

"Whereas we belong to the United Nations and our Ontario Human Rights Code follows in part the international human rights code;

"This in general should guarantee that the people of Ontario under the authority of this Legislature are treated as instructed by the rules of democracy

"Unfortunately, these rules of democracy have been deserted by the following members of the government: the Premier, Bob Rae; the Solicitor General, Mike Farnan; the Minister of the Environment, Ruth Grier; the Minister of Housing and Municipal Affairs, Dave Cooke; the Minister of Agriculture and Food, Elmer Buchanan; the Minister of Citizenship/Human Rights, Elaine Ziemba.

"All these six members of the Legislature are not conforming to the rules of democracy. These members have one thing in common: they do not communicate with the citizen, they do not reply to letters, or if they reply, they do not address the matters addressed in the letters.

"Whereas such conduct is not in conformity with our freedom of expression or democratic rights. Such conduct is the beginning of anarchy and dictatorship;

"Whereas the people of Ontario have the right to treatment within their inherent dignity and following the great rules of freedom of expression. If there is no freedom of information/communication then there is no freedom of expression);

"I, the undersigned, petition the Parliament of Ontario as follows:

"To instruct these members of the Legislature to treat all individuals within their inherent dignity and engage in a positive and constructive manner of reply."

That is signed by Henry Freitag, Penetanguishene, Ontario.

ABORTION

Mr Sutherland: I have a petition addressed to the Legislative Assembly of Ontario and it is signed by 59 constituents in my riding. The petition says:

"Whereas medical and biological sciences have proven conclusively that human life begins at conception, therefore abortion is the direct killing of a human being. Over one million unborn Canadians have been killed in our country since 1969;

"Whereas abortion cannot be construed as a 'medical procedure' since the aim of medicine is to cure and to heal, not to take life. Abortion has only one purpose and that is to terminate the life of an unborn child. This has nothing to do with medical care.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We strongly object to the plan by the Ontario Health Minister to increase abortion facilities, provide full funding for the killing of babies and pay travel expenses for women in remote areas to secure abortions. We the taxpayers resent having our tax money used in such destructive policies. This money could be used instead for helping women with crisis pregnancies to have their babies, providing subsequent support for them, both emotional and financial, as well as providing adoption services.

"We strongly urge you to consider the population depletion caused by widespread abortion which has already become a crucial problem, not only in Ontario, but across Canada. This problem will only get worse if your abortion policies are implemented.

"Therefore we plead with you to implement life-enhancing policies that will respect the dignity of all human life, including the unborn."

TVONTARIO TRANSMITTER

Mr Cleary: I have a petition to His Honour the Lieutenant Governor and the Legislative Assembly of Ontario from 1,543 residents of my riding and the riding of S-D-G & East Grenville asking that a dual service transmitter be undertaken without delay for the Cornwall area so that taxpayers in the region can benefit from TVOntario and La Chaîne's excellent programming. I have also signed that petition.

OATH OF ALLEGIANCE

Mr Stockwell: "Whereas the Queen of Canada has long been a symbol of national unity for Canadians from all walks of life and from all ethnic backgrounds"—

Mr Perruzza: Is this a petition?

Mr Stockwell: Yes, it is. I am sorry, this is a petition, for my friend's sake. I should start again.

"Whereas the Queen of Canada has long been a symbol of national unity for Canadians from all walks of life and from all ethnic backgrounds; and

"Whereas the people of Canada are currently facing a constitutional crisis, which could potentially result in the breakup of the federation, and are in need of a unifying symbol;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to restore the oath to the Queen for Metropolitan Toronto police officers and any other police officers across this province."

I thank you for your time and I have affixed my signature, Mr Speaker.

RETAIL STORE HOURS

Mr Wiseman: I have a petition from 39 of my constituents.

"Whereas commercialism should not have priority over family life; and

"Whereas the present wide open Sunday shopping restricts the rights of the community of the family and of individuals to a common day off; and

"Whereas any law protecting the rights of workers to refuse work on Sunday is inadequate because of the subtle pressures management may place on conditions for continued employment and promotion; and

"Whereas the Supreme Court of Ontario rejected the legislation of the previous government, mostly because of the municipal option clause;

"Therefore, we petition the government of Ontario to promote legislation enacting a province-wide common pause day for Ontario retailers and retail employees."

1610

OATH OF ALLEGIANCE

Mr Harnick: I have a petition that I wish to present to the Legislature. It reads as follows:

"Whereas the Queen of Canada has long been a symbol of national unity for Canadians from all walks of life and from all ethnic backgrounds; and

"Whereas the people of Canada are currently facing a constitutional crisis, which could potentially result in the breakup of the federation, and are in need of a unifying symbol;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to restore the oath to the Queen for Metropolitan Toronto police officers and for any other police officers across the province."

I have put my name on this petition. I have signed it, and I am proud to present it to the Legislature.

AFFORDABLE HOUSING

Mr Silipo: I have a petition to present, which is signed by about 370 residents of Toronto and area, residents who are primarily employed in good times in the construction industry. These construction workers are urging all levels of government to co-ordinate and streamline the process of creating non-profit, affordable housing and

further urging the federal government to substantially increase funding for non-profit, affordable housing. They are also encouraging the provincial government to strengthen its financial commitment to non-profit, affordable housing and urging municipal governments to accelerate the approval process for affordable, non-profit housing projects and to promote the creation of second units in single-family dwellings.

OATH OF ALLEGIANCE

Mr Turnbull: I have a petition:

"Whereas the Queen of Canada has long been a symbol of national unity for Canadians from all walks of life and from all ethnic backgrounds;

"Whereas the people of Canada are currently facing a constitutional crisis, which could potentially result in the breakup of the federation, and are in need of a unifying symbol;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to restore the oath to the Queen for Metropolitan Toronto police officers."

I have affixed my signature to this too.

Mr Cousens: I move that this House move to the next item on the agenda, the reports by committees in routine proceedings.

The Speaker: The member for Markham moves that we move to the next item of business on the agenda. Is it the pleasure of the House that the motion carry?

1643

The House divided on Mr Cousens's motion, which was agreed to on the following vote:

Ayes 57; nays 7.

Mr Wiseman: On a point of order, Mr Speaker: I voted against that motion. I would like it recorded that I did not support the Conservatives.

The Deputy Speaker: Agreed.

Mr Jackson: On a point of order, Mr Speaker: I do not want to mislead the House, but the member for Downsview did not vote. Perhaps it should be recorded that he neither voted for nor against it, just to make sure that the record is straight.

The Deputy Speaker: The questions were quite simple: "All those in favour of the motion will please rise" and "All those opposed will please rise." I will ask the member for Downsview. Did you vote?

Mr Perruzza: No, I did not. I am not obligated to vote. I preferred not to vote.

The Deputy Speaker: Yes, you are obligated. Are you voting in favour or against?

Mr Perruzza: Mr Speaker, can I have a ruling on whether or not I am obligated to vote?

Interjections.

The Deputy Speaker: Order, please. I would suggest that you vote. Yes, do vote.

Mr Perruzza: Mr Speaker, it is fine to make a suggestion, but I am not completely familiar with the standing orders of this House.

The Deputy Speaker: Order, please. I recommend that you vote.

Mr Perruzza: I would like to vote against the Conservatives, but their motions are redundant so it is unnecessary to—

The Deputy Speaker: Order. Please take your seat.

Mr Cousens: On a point of order, Mr Speaker: I have to congratulate the honourable member for Burlington South for bringing to the attention of the Chair that in fact one of the members in this House is not aware of the standing orders—I do not have the exact number in front of me, but the Clerk would be able to provide it at his convenience—on the very important fact that when we are in this House we are—

Interjections.

The Deputy Speaker: Order, please. On the point of order, please.

Mr Cousens: On how many previous occasions have we not had a full record of all members in the House voting, and has there been a review on this? I just have to thank the member for Burlington South that he brought this to your attention, or this honourable member would not have voted. On how many other occasions has this happened?

The Deputy Speaker: Order. Please take your seat. The Chair has ruled. That is the end of it.

Mr Cousens: I am sorry, Mr Speaker. On the point of order, there were other instances where this member has been in the House and not voted.

Interjections.

Mr Cousens: —of making it clear that all members have a responsibility in this House not to sit on the fence. Mind you, I do not like the way they are voting most of the time.

The Deputy Speaker: Order. Please take your seat. Resume your seat, please. Will the members take their seats, please. The ruling has been made and that is the end of it.

Mr Duignan: On a point of order, Mr Speaker: It has got to do with the ringing of the bells in the corridor. Some staff are complaining of the persistent noise. If the third party persists in calling these votes, is there some way that we can tone down the bells in the corridor? It is affecting the staff.

The Deputy Speaker: Order. Please take your seat. The answer is no.

1650

INTRODUCTION OF BILLS

MAY COURT CLUB OF OAKVILLE ACT, 1991

Mr Carr moved first reading of Bill Pr69, An Act to revive May Court Club of Oakville.

Motion agreed to.

CITY OF ST CATHARINES
ECONOMIC PROTECTION ACT, 1991

LOI DE 1991 SUR LA PROTECTION ÉCONOMIQUE
DE LA CITÉ DE ST CATHARINES

Mr Cousens moved first reading of Bill 107, An Act to protect the Economy of the Border Community of the City of St Catharines.

M. Cousens propose la première lecture du projet de loi 107, Loi sur la protection économique de la communauté frontrière de la Cité de St Catharines.

1658

The House divided on Mr Cousens's motion, which was agreed to on the following vote:

La motion de M. Cousens, mise aux voix, est adoptée :

Ayes/Pour—62

Abel, Akande, Allen, Arnott, Bisson, Bradley, Caplan, Carr, Churley, Cleary, Cooper, Coppen, Cousens, Cunningham, Duignan, Fletcher, Frankford, Gigantes, Grandmaître, Haeck, Hampton, Hansen, Harnick, Harrington, Hayes, Hope, Huget, Jamison, Johnson, Klopp, Kormos, Lankin, MacKinnon, Martel, Martin, Mathysen, McLean, Mills, Morrow, Murdoch, B., Murdock, S., O'Connor, O'Neill, Y., Perruzza, Philip, E., Silipo, Sola, Sterling, Sutherland, Tilson, Turnbull, Ward, B., Ward, M., Wark-Martyn, Waters, Wessenger, White, Wilson, F., Wilson, G., Winninger, Wiseman, Wood.

Nays/Contre—0

Mr Cousens: We are just trying to make a statement that something has to be done to protect the economy of the province of Ontario, and specifically the city of St Catharines, and every other city, from this budget that the Premier's government has brought in.

1700

Mr Perruzza: On a point of order, Mr Speaker: According to the rules of this House, every member has one vote and you only vote either yea or nay with respect to any motion introduced in this House. Mr Speaker, you do not have to rule on this today. I know that it requires some time for you to make these assessments and report back to the House, because as I understand it, that seems to be the procedure. But the Conservatives on the last vote voted against through their voice vote and voted in favour when they were asked to record their vote. They voted both ways on the same motion, on the same item—

The Deputy Speaker: Thank you.

ROYAL CONSERVATORY OF MUSIC ACT, 1991

Mr Silipo moved first reading of Bill Pr70, An Act respecting the Royal Conservatory of Music.

Motion agreed to.

CITY OF TORONTO ACT, 1991

Mr Silipo moved first reading of Bill Pr50, An Act respecting the City of Toronto.

1708

The House divided on Mr Silipo's motion, which was agreed to on the following vote:

Ayes—57

Abel, Akande, Allen, Bisson, Caplan, Carr, Chiarelli, Churley, Cleary, Cooper, Coppen, Cousens, Cunningham, Duignan, Fletcher, Frankford, Gigantes, Grandmaître, Hampton, Hansen, Harnick, Hayes, Huget, Jamison, Johnson, Jordan, Klopp, Kormos, Lankin, MacKinnon, Martel, Martin, Mathysen, McLean, Mills, Morrow, Murdoch, B., Murdock, S., O'Connor, O'Neill, Y., Ramsay, Silipo, Sola, Sutherland, Tilson, Turnbull, Ward, B., Ward, M., Wark-Martyn, Waters, Wessenger, White, Wilson, F., Wilson, G., Winninger, Wiseman, Wood.

Nays—1

Sterling.

SUBSTITUTE DECISIONS ACT, 1991

LOI DE 1991 SUR LA PRISE DE DÉCISIONS
AU NOM D'AUTRUI

Mr Hampton moved first reading of Bill 108, An Act to provide for the making of Decisions on behalf of Adults concerning the Management of their Property and concerning their Personal Care.

M. Hampton propose la première lecture du projet de loi 108, Loi prévoyant la prise de décisions au nom d'adultes en ce qui concerne la gestion de leurs biens et le soin de leur personne.

1720

The House divided on Mr Hampton's motion, which was agreed to on the following vote:

La motion de M. Hampton, mise aux voix, est adoptée :

Ayes/Pour—60

Abel, Akande, Allen, Bisson, Caplan, Carr, Chiarelli, Churley, Cleary, Cooper, Coppen, Cousens, Cunningham, Duignan, Fletcher, Frankford, Gigantes, Grandmaître, Haeck, Hampton, Hansen, Harnick, Hayes, Hope, Huget, Jamison, Johnson, Jordan, Klopp, Kormos, Lankin, MacKinnon, Martel, Martin, Mathysen, McLean, Mills, Morrow, Murdoch, B., Murdock, S., O'Connor, O'Neill, Y., Ramsay, Silipo, Sola, Sterling, Sutherland, Tilson, Turnbull, Ward, B., Ward, M., Wark-Martyn, Waters, Wessenger, White, Wilson, F., Wilson, G., Winninger, Wiseman, Wood.

Nays/Contre—0

Mr Cousens: Mr Speaker, on a point of order: Was the honourable Speaker aware that one honourable member from this House was not in his seat, yet was in the chamber when the vote was taken?

The Deputy Speaker: I have noticed that the member for Downsview was in the press gallery and not in the House.

CONSENT TO TREATMENT ACT, 1991

LOI DE 1991 SUR LE CONSENTEMENT
AU TRAITEMENT

Ms Lankin moved first reading of Bill 109, An Act respecting Consent to Treatment.

M^{me} Lankin propose la première lecture du projet de loi 109, Loi concernant le consentement au traitement.

1729

The House divided on Ms Lankin's motion, which was agreed to on the following vote:

La motion de M^{me} Lankin, mise aux voix, est adoptée :

Ayes/Pour—57

Abel, Akande, Allen, Bisson, Caplan, Chiarelli, Churley, Cleary, Cooper, Coppen, Cousens, Duignan, Fletcher, Gigantes, Grandmaître, Haeck, Hampton, Hansen, Harnick, Harrington, Hayes, Hope, Huget, Jamison, Johnson, Jordan, Klopp, Lankin, Lessard, MacKinnon, Malkowski, Martel, Mathyssen, McLean, Mills, Morrow, Murdoch, B., Murdock, S., O'Connor, O'Neill, Y., Peruzza, Ramsay, Silipo, Sola, Sterling, Sutherland, Tilson, Turnbull, Ward, B., Ward, M., Wark-Martyn, Wessenger, White, Wilson, F., Wilson, G., Winninger, Wiseman.

Nays/Contre—0

CONSENT AND CAPACITY STATUTE LAW
AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT DES LOIS
EN CE QUI CONCERNE LE CONSENTEMENT
ET LA CAPACITÉ

Mr Hampton moved first reading of Bill 110, An Act to amend certain Statutes of Ontario consequent upon the

enactment of the Consent to Treatment Act, 1991 and the Substitute Decisions Act, 1991.

M. Hampton propose la première lecture du projet de loi 110, Loi modifiant certaines lois de l'Ontario par suite de l'adoption de la Loi de 1991 sur le consentement au traitement et de la Loi de 1991 sur la prise de décisions au nom d'autrui.

Motion agreed to.

La motion est adoptée.

Hon Mr Hampton: Consequent upon the bills introduced by the Minister of Health and myself today, a number of changes will have to be made in a number of other statutes, and this bill deals with that and tries to do so in an orderly fashion.

Mr Cousens: I move that the House proceed to orders of the day.

1805

The House divided on Mr Cousens's motion, which was negatived on the following vote:

Ayes 15; nays 39.

The House adjourned at 1806.

ALPHABETICAL LIST OF MEMBERS

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Speaker: Hon David Warner

Clerk of the Legislative Assembly: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees: Smirle Forsyth

Clerk Assistant and Clerk of Journals: Alex D. McFedries

Sergeant at Arms: Thomas Stelling

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines and to the Minister of Northern Development
			Vice-Chair, standing committee on Ontario in Confederation
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Hon Brian A.	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
Churley, Hon Marilyn	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	
Gigantes, Evelyn	Ottawa Centre	NDP	
Grandmaître, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities

Name of member	Constituency	Party	Other responsibilities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Chair, standing committee on regulations and private bills
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	Chair, standing committee on resources development
Jackson, Cameron	Burlington South	PC	Parliamentary assistant to the Minister of Energy
Jamison, Norman	Norfolk	NDP	Chair, standing committee on estimates
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Jordan, Leo	Lanark-Renfrew	PC	Parliamentary assistant to the Chair of the Management Board of Cabinet
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	Chair, standing committee on resources development
Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Health, Chair of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
Mackenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	Parliamentary assistant to the Minister of the Environment
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the Whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation

Name of member	Constituency	Party	Other responsibilities
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
Rae, Hon Bob	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	Vice-Chair, standing committee on finance and economic affairs
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	S-D-G & East Grenville	PC	Second Deputy Chair of the Committee of the Whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Hon Fred	Frontenac-Addington	NDP	Minister of Government Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	

Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

COMMITTEES OF THE LEGISLATIVE ASSEMBLY

STANDING COMMITTEES

Administration of justice

Chair: Drummond White

Vice-Chair: Mark Morrow

Members: Gary Carr, Robert Chiarelli, Derek Fletcher, Charles Harnick, Irene Mathysen, Gordon Mills, Jean Poirier, Gregory S. Sorbara, Fred Wilson, David Winninger
Clerk: Lisa Freedman

Estimates

Chair: Cameron Jackson

Vice-Chair: Margaret Marland

Members: Gary Carr, Hans Daigeler, Will Ferguson, Karen Haslam, Paul R. Johnson, Wayne Lessard, Dalton McGuinty, Lyn McLeod, Anthony Perruzza, Gary Wilson
Clerk: Franco Carrozza

Finance and economic affairs

Chair: Jim Wiseman

Vice-Chair: Kimble Sutherland

Members: David Christopherson, Norman Jamison, Monte Kwinter, Gerry Phillips, Norman W. Sterling, Chris Stockwell, Barbara Sullivan Brad Ward, Margery Ward
Clerk: Todd Decker

General government

Chair: Remo Mancini

Vice-Chair: Michael A. Brown

Members: Donald Abel, Gilles Bisson, Dennis Drainville, Noel Duignan, Margaret H. Harrington, George Mammoliti, Bill Murdoch, Yvonne O'Neill, Ian G. Scott, David Turnbull
Clerk: Deborah Deller

Government agencies

Chair: Robert W. Runciman

Vice-Chair: Allan K. McLean

Members: James J. Bradley, Robert Frankford, Bernard Grandmaître, Karen Haslam, Pat Hayes, Dalton McGuinty, Tony Silipo, Chris Stockwell, Daniel Waters, Jim Wiseman
Clerk: Douglas Arnott

Legislative Assembly

Chair: Noel Duignan

Vice-Chair: Ellen MacKinnon

Members: Mike Cooper, Robert Frankford, Norman Jamison, Margaret Marland, Irene Mathysen, Carman McClelland, Gilles E. Morin, Hugh P. O'Neil, Stephen Owens, Noble Villeneuve
Clerk: Douglas Arnott

Ombudsman

Chair: Mark Morrow

Vice-Chair: Drummond White

Members: Alvin Curling, Joan M. Fawcett, D. James Henderson, Peter Kormos, George Mammoliti, Bill Murdoch, Margery Ward, Paul Wessinger, Jim Wilson, Elizabeth Witmer
Clerk: Franco Carrozza

Public accounts

Chair: Robert V. Callahan

Vice-Chair: Dianne Poole

Members: James J. Bradley, Sean G. Conway, Mike Cooper, W. Donald Cousens, Christel Haeck, Pat Hayes, Paul R. Johnson, Ellen MacKinnon, Lawrence O'Connor, David Tilson
Clerk: Tannis Manikel

Regulations and private bills

Chair: Ron Hansen

Vice-Chair: Lawrence O'Connor

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First Session, 35th Parliament

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Tuesday 28 May 1991

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le mardi 28 mai 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 325-7400.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 28 May 1991

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

WASTE MANAGEMENT

Mr Beer: I rise today with a message for the Minister of the Environment. Earlier today, I and colleagues from the Liberal caucus met with representatives from the north from the municipalities of Kirkland Lake, Englehart and Larder Lake, as well as representatives from citizens' groups who are anxious to see the government reopen and look at the whole question of the integrated waste disposal system being proposed for Kirkland Lake by which refuse from Metropolitan Toronto would be taken north and developed there as an economic asset to the north.

What these groups have been saying to us is that at no time will the minister listen to them. She has refused to speak to them, to meet with their representatives to discuss this proposal. Yet right now the hearings are beginning to look into the various sites in the regions around Metropolitan Toronto and the greater Toronto area to see where future disposal sites will be.

It seems clear that one of the things the minister should do is to direct that the Kirkland Lake proposal be part of that review. We are asking that the minister get away from her ideological response to this issue and simply ask what these people have asked, that it be submitted to a proper environmental review on the same basis as any other. In that way we will know whether in fact the Kirkland Lake proposal will be safe for the residents of that area, and everyone will be served. But the minister has to take the first step and direct that this project now be part of the review that will be carried out to find alternative sites for the greater Toronto area.

BUDGET

Mr Carr: In the wake of the first NDP budget, our province is now saddled with a \$9.7 billion deficit, the biggest in our history. In addition to tripling the provincial deficit, the Premier and the Treasurer have added \$1 billion in new taxation measures and promised further increases in government spending. The only way to end this recession and save jobs in Ontario is to cut taxes and reduce government spending. This budget is 180 degrees in the wrong direction.

People ranging from children to business leaders are worried. Ken Harrigan, the president of Ford Motor Co in my riding, has stated that the Premier promised business and industry that economic recovery would take priority over social reform, and that if this budget is an example of economic recovery, the Premier is going in the wrong direction. The auto industry is the fuel of economic recovery in this province, and it does not make sense to tax new cars as gas guzzlers when what the government should be doing is getting old cars off the road.

My own three children agree with young Sarah Fudge of North Bay, who has written: "The NDP say that they want the best environment for their children to grow up in and pass on to their children. Does this include the economic environment? Yes, we have to help those in need, no one can argue with that. There are better ways than this. Please try to get them to listen. It's our future that hangs in the balance."

JOB CREATION

Mr Dadamo: I would like to counteract what the member for Oakville South has talked about this afternoon. As the member of the Legislature representing the riding of Windsor-Sandwich, I would like to take this opportunity to inform the members of this House that a third shift is being added at the Chrysler plants in Bramalea and Windsor. As a result of this move, 5,000 new direct jobs in the auto industry and indirect support service jobs are being created in our economy when jobs are badly needed. It will also mean the production of as many as 90,000 more mini-vans a year in the area. It is the biggest single increase in employment in Windsor since the mid-1960s.

In addition, the CAW has negotiated a significant reduction in working hours. The Canadian Auto Workers union has negotiated a seven-hour day at these two facilities when the three shifts become operational. Workers will receive eight hours' pay for the seven hours worked in the plant, and any hours worked beyond seven hours will be paid at time and a half.

As well, this agreement, to be ratified in the month of June, represents an historic breakthrough for both auto workers and all industrial workers at home and internationally. It is an excellent example of a company increasing its commitment to Ontario, proving that it is worth while to invest in the province of Ontario. It also recognizes that having motivated high-wage workers with the latest equipment is the best road to economic recovery and success in the 1990s.

WASTE MANAGEMENT

Mrs Caplan: I would like to share with members of the House a motion that was carried at a recent board of directors meeting on 24 and 25 May in Delhi, Ontario, at the Association of Municipalities of Ontario. It was moved by Howard Moscoe and seconded by Bob Foulds. It said:

"AMO opposes the rigidity of the Minister of the Environment's order that municipalities are prohibited from exporting waste beyond municipal boundaries. AMO believes that in those situations where there are no safe and viable alternatives and there is a willing host municipality, the export of waste should be permitted and that the government should modify its position accordingly."

This motion was carried by the Association of Municipalities of Ontario.

The delegation that I met with this morning, along with members of our caucus, were very dismayed because this

NDP government and this Minister of the Environment have denied them a hearing, have refused to meet with them. The Minister of Municipal Affairs has not even been able to arrange a meeting between the Minister of the Environment and these northern municipalities.

What they are asking for is reasonable and fair. They are asking for an environmental assessment evaluation of a comprehensive waste management alternative which may prove better for the environment than anything we have seen to date in Ontario. Their demands are reasonable, and AMO says as well that this government should reconsider its position.

1340

PUBLIC SAFETY

Mrs Witmer: Last Tuesday night, 21 May, I joined more than 200 women from my community in conducting a safety audit of the streets, alleys and parks of Kitchener-Waterloo to determine just how safe or unsafe our twin cities are for women.

I would like to congratulate the Kitchener-Waterloo Sexual Assault Support Centre, as well as all of the women who participated, for organizing this important and very successful exercise. The large turnout is a clear indication that women are extremely concerned about the increasing number of sexual assaults and that they are prepared to take action to make sure the environment in which women walk is made safer.

In visiting various areas in the twin cities, the participants suggested ways in which the risk of sexual assault could be reduced. These included such measures as the installation of additional lighting, sidewalks or cutting back bushes and trees. The mayors of both cities have pledged to take action on the recommendations which will result from this safety audit.

While the safety audit will not immediately eliminate violence against women, it is an important first step in raising public and municipal government awareness about the dangers faced by women at night, and it will contribute to making our community a safer place in which to live.

PARLIAMENTARY PROCEDURE

Mr Drainville: The leader of the third party spoke two weeks ago of a letter that cost approximately \$60 to send by courier. I would like to share a comment by Lord Samuel, a British statesman, who said, and I think these words could be addressed to the third party, "Do not choose to be wrong for the sake of being different."

I use this particular statement because as the leader of the third party virulently attacks the spending of \$60 on one hand, he is wasting \$290,000 every single day that he prevents this House from debating the budget; \$290,000 is what it costs to run the Legislative Assembly every day. The leader of the Progressive Conservative Party has now delayed this House to the tune of \$3 million. If it continues to the end of this session, it will be significantly more than that.

The leader of the third party claims to be a tax fighter; in fact, he is a tax waster. He is abusing not only the system which allows free expression of such a small minority view, but even worse he is disdainful of the will of

the people and should allow this government to proceed with its business at no further tax waste. We say that the government needs to get on with the business so the people of Ontario can receive the support they so richly deserve by legislators in this House.

PENSION REFORM

Mr Chiarelli: On the important issue of pension reform, the NDP agenda for power is clear. It promises that pension benefits should be indexed, pension surpluses belong to employees, and employers should not be allowed to take contribution holidays.

Earlier this year, the Ontario Court of Appeal ruled that contribution holidays were legal. In response to this decision, the then minister, the member for Welland-Thorold, promised legislation this year. Just two weeks ago, the current minister indicated in this House that he has done nothing to stop DRG Inc of Toronto in its plans to withdraw pension surpluses, a proposal which clearly violates the spirit of the moratorium on pension surplus withdrawals and the Premier's own stated policy that pension surpluses belong to plan members.

The people of Ontario see the government doing nothing on pensions. Will the Premier at least tell us how and when his open government will consult with the public on this very important issue, and when he will answer a William Mercer Ltd report of 5 March that strongly recommends that the NDP's pension proposals not be implemented? The people of Ontario want to know: What is the Premier really up to on pensions?

SEXUAL ABUSE OF PATIENTS

Mr Eves: When doctors take on responsibilities of life and death, they also take a Hippocratic oath which enshrines them with absolute trust. The oath reads in part as follows: "In every house where I come I will enter only for the good of my patients, keeping myself far from all intentional ill-doing and all seduction, and especially free from the pleasure of love with women or with men."

Today I would like to commend the College of Physicians and Surgeons of Ontario for unanimously endorsing the recommendations of the task force, which proclaimed an absolute intolerance of sexual abuse of patients by doctors. The task force, which travelled throughout the province, was given a mandate to recommend improvements in the manner in which the college deals with complaints of physical and sexual abuse of patients, develop guidelines for doctor-patient relationships, recommend education training for both doctors and patients, and make recommendations to change laws and legal procedures brought before the college about sexual abuse by doctors.

Most important was the recommendation that stated the college adopt a philosophy of zero tolerance of sexual abuse of patients by doctors, and then changing many college procedures and policies to be more effective and sensitive to such abuse.

We as legislators can join with respect to the last recommendation: changes in the legal and legislative systems to correct the bias against sexual abuse victims. If we all

do our jobs, I am sure we will make the lives of patients that much more tolerable in the province of Ontario.

EAST YORK STUDENTS' ACHIEVEMENTS

Mr Malkowski: It is with much pride that I rise today to inform the House of the achievements of four outstanding students from the East York public school system.

Scott Davies from Marc Garneau Collegiate Institute and Wai-Yin Shum of Cosburn Middle School represented Metropolitan Toronto at the Canada-Wide Science Fair, which was recently held in Vancouver, British Columbia. Both of these students devoted many hours of research and preparation for their projects.

The town of Morotomi, Japan, extended an invitation to young people around the world to draw scenes that reflect the places where they live. The judges selected the designs of Pattie Pantev of East York Collegiate Institute and John Koutras of Westwood Junior High School. Pattie and John's artwork will be made into colourful, traditional Japanese ceramics, and then displayed in Morotomi's gallery, alongside the work of children from around the world.

The achievement of these students makes East York schools and the Ontario education system shine in the global community.

VISITOR

The Speaker: I invite all members to welcome to our gallery this afternoon Her Excellency Mary Madzandza Kanya, the high commissioner for the Kingdom of Swaziland. Welcome.

1350

CAROLYN THOMSON

Hon Mrs Copen: It is with sadness that I mention today the death last week of Carolyn S. Thomson. This remarkable young woman died at the age of 30 after a courageous battle with cancer.

Carolyn fought this battle with the same fierce determination and sense of humour that she had lived her life with. Many will remember Carolyn as a legislative intern in 1986-87. She was the intern who always asked the first question and the most pointed question when the interns met with the cabinet ministers and other political leaders.

One of the goals of the internship program is to explore the ideals of all political parties. Carolyn shared this goal as an intern, as she chose to broaden her horizons by working with Susan Fish and with Joan Smith when she was chief government whip. During this time she developed friendships and gained respect in all three parties.

Carolyn believed in the legislative process, and in particular had a strong commitment to seeing more women participating in political life. She had planned to run for political office one day.

Carolyn worked hard in organizing and developing an alumni organization of interns. She volunteered for the publication *Canadian Legislatures*, and wrote a well-received article on conflict-of-interest legislation. Carolyn received a degree in Canadian studies from Trent University and had a strong belief in the value of Canadian

cultural institutions. At the University of Ottawa she wrote her master's thesis on the CBC.

As part of her work as a consultant at Coopers and Lybrand she wrote the project that resulted in Cinémathèque Ontario. Cinémathèque, which expanded the Ontario Film Institute, is a film library and screening venue offering films, seminars and lectures.

On behalf of myself and my other colleagues I would like to send our deepest sympathy to Carolyn's family and friends and to her husband, Doug Hamilton. Carolyn's commitment to excellence in herself and others will not be forgotten.

I would like to close by paraphrasing a 19th-century historian: She does not die who bequeaths some influence to the land she knows.

Mrs Cunningham: It is with sadness and regret that I stand on behalf of my caucus this afternoon to express our deepest sympathy and condolences to the family of Carolyn Thomson. Carolyn, as has already been suggested and reported, was a former legislative intern in 1986-87, and she died last week after a valiant struggle with cancer. She was a special intern who approached her job with joy and enthusiasm and she will be remembered for a very long time as a person who gave 100% of everything she did.

Colleagues who worked with her remember her as someone who had a great joy for life and a genuine interest in others. When she began her successful career with Coopers and Lybrand, she at that time discovered that she was very ill, but like everything else in her life she approached her illness with a positive attitude.

She had an immense capacity to understand and like people and an inner strength to carry on even when faced with the obstacles of her illness. She had a future with great potential and had a sense of the goals she wanted to achieve. Our loss is that Carolyn will not have the opportunity to attain these goals, and although she was with the Progressive Conservative caucus for a very short period of time, she left with us her professional and, more important, her personal mark.

For those of us who knew her she will not be forgotten, and to her husband, Doug Hamilton, her family and friends, we would like to extend to them our deepest sympathy and our condolences for their great personal loss.

Mr Nixon: Carolyn Thomson chose during her internship here in 1986-87 to work with the government House leader's office. I was the government House leader at that time, and from all of our remembrances and reports she was an excellent worker and totally interested in and committed to the democratic system. She was full of life and good humour and was a leading exponent of the usefulness of the internship and the involvement of people, particularly young people, in learning about the system and contributing to it.

When you think of her life, short as it was, she made a tremendous contribution both here and throughout the community, and it always leads to the question about this particular illness and its terrible ramifications. Those matters really cannot stand too much thought as we think of the people who are committing their lives to helping those

people stricken with the illness and helping them through it, and so often the fact that the results are tragic, as in this case.

Her life certainly was a good one. I have already said that her example to the people she worked with was outstanding. The thoughts of what her family and her husband are bearing now give us all great pause, and I join with the other members who have spoken in extending our condolences. Our thoughts are certainly with them.

The Speaker: The kind and thoughtful remarks by the members who have spoken this afternoon will be forwarded to Carolyn's family and her husband and with your best wishes to the interns with whom she worked. They, as you must know, were very close to her and they feel this loss quite deeply as well.

STATEMENTS BY THE MINISTRY

NATIVE HUNTING AND FISHING

Hon Mr Wildman: I would like to announce that the interim enforcement policy we have been developing regarding aboriginal rights to hunt and fish is now in effect.

As I previously told the Legislature, the intent in developing the new interim enforcement policy is to clarify current government practice regarding aboriginal rights to hunt and fish for food for personal and community use.

The interim policy applies to status Indian people who are fishing or hunting for food in an area that is covered by their treaty. In addition, the policy applies to status Indians who are hunting and fishing in an area where they have traditionally harvested. Where such areas are different from existing treaty areas or are not set out in treaties, the boundaries of such traditional areas will be clarified through negotiation.

We needed to develop an interim enforcement policy in order to reflect the guarantee of aboriginal rights in section 35 of the Constitution and to respond to recent decisions by the Supreme Court of Canada that help to define those rights.

One of the most significant Supreme Court rulings, the Sparrow decision of May 1990, says that aboriginal rights to fish for food for personal and community use take first priority after conservation and resource management concerns have been satisfied. Through the interim policy, the logic of the Sparrow decision is being applied to hunting wildlife for personal and community use, as well as to fishing for such use.

The Sparrow decision also says that the relationship between governments and aboriginal people should not be adversarial. To promote this non-adversarial climate the government of Ontario is prepared to negotiate agreements with aboriginal people regarding their aboriginal rights to hunt and fish for food. The interim enforcement policy sets out the ground rules for negotiating arrangements with aboriginal people.

The new policy is consistent with the government's commitment to negotiate self-government arrangements with aboriginal people and its commitment to develop co-management agreements on natural resources.

The new policy is interim because it is meant to be in place until it is replaced by negotiated agreements with aboriginal people, after consultation with first nations and interested third parties.

The interim policy will minimize the number of instances where native people might be charged under acts such as the Game and Fish Act, the Fisheries Act and the Migratory Birds Convention Act.

Under the interim enforcement policy, status Indian people harvesting wildlife and fish for personal consumption or for social and ceremonial purposes will not be subject to enforcement procedures except under certain circumstances. These circumstances include: hunting in an unsafe manner; where wildlife and fish are taken for commercial purposes, except where specific recognized rights exist; where wildlife and fish are taken in a manner which puts conservation objectives at risk; and where hunting and fishing occur on privately owned or occupied land, unless there is permission from the land owner.

The following activities may be considered as examples of activities that could put conservation objectives at risk: destruction or harmful alteration of fish and wildlife habitat; in certain circumstances, fishing in sanctuaries or waters that are closed at all times of the year, or hunting in waterfowl sanctuaries; taking of rare, threatened or endangered species; or taking of wildlife while they are nursing their young.

Again, I want to emphasize that these are examples of what may be considered exceptions to the general rule that allows aboriginal people to hunt and fish for food.

The interim policy also provides for status Indian people to barter game and fish in exchange for other game and fish within or among their communities.

The interim policy also provides a framework for working with Metis and non-status Indian communities where harvesting wildlife and fish is integral to the lifestyle of that community. The provisions of the Game and Fish Act, the Fisheries Act and the Migratory Birds Convention Act will continue to apply to Metis and non-status Indian communities until agreements have been entered into with these communities.

In addition, agreements will have to be in place before aboriginal people may hunt or fish in provincial parks, unless they already have such rights.

This policy will apply to the unique circumstances which exist with respect to the harvest of game and fish by the Algonquins of Golden Lake in Algonquin Provincial Park. The Algonquins of Golden Lake have filed a substantial claim to a large part of the Ottawa Valley, including Algonquin Park. They have never been compensated for extinguishing their rights in the area they claim. Those unique circumstances must be recognized, and they have been, through our commitment to negotiate the land claim beginning 15 June.

1400

This commitment includes an agreement to negotiate an interim arrangement with the Algonquins of Golden Lake regarding the aboriginal right to hunt and fish for food in the area they claim. The interim agreement will include subagreements on deer and moose hunting and

fishing that will specify seasons and areas for hunting and fishing, levels of harvest and measures to protect park values, ensure enforcement and conservation and protect public safety.

We are currently negotiating with the Algonquins and consulting with other interested groups on proposals for the interim agreement. Through these negotiations and discussions, we will ensure that we have arrangements that conserve resources and protect public safety.

The interim enforcement policy indicates that in order for aboriginal people to hunt and fish in a provincial park, there must be a governing agreement. We have agreement with the Algonquins of Golden Lake on principles for hunting deer and moose within the context of this policy. We are working with the Algonquins of Golden Lake to finalize a fishing agreement and have been making some progress. Although there remain some outstanding issues in relation to fishing negotiations, we believe that we will enter into an agreement soon. Until there is agreement on principles in relation to fishing, fishing activities by the Algonquins of Golden Lake will be reviewed on a case-by-case basis.

Across the province, where there are allegations that a native person has violated the principles of conservation or public safety, those allegations will continue to be reviewed through the normal screening process in the Ministry of Natural Resources. Under this process, the Deputy Minister of Natural Resources, in consultation with senior officials, reviews recommendations on charges against native persons and decides whether or not charges should be laid.

Before a decision is made to proceed with charges, the Ministry of Natural Resources will consult the chief or designate of the affected first nation to discuss concerns about harvesting of fish and wildlife. The appropriate aboriginal treaty and political organization will also be notified. The Attorney General may intervene in the screening process.

Where there are allegations that status Indian people are improperly fishing or hunting for commercial purposes, the Deputy Minister of Natural Resources must give his written approval before planned enforcement procedures are undertaken, such as inspecting commercial establishments, search warrants and special investigations. When reviewing recommendations to lay charges regarding commercial fishing, the deputy minister will also take into consideration whether or not there exists a right to harvest wildlife and fish for commercial purposes.

In developing the interim policy, we have consulted with aboriginal people and other interested groups in the province. While the native leadership and other groups do not necessarily accept the principles underlying the new policy, there has been constructive dialogue and a shared recognition that new rules are necessary. Many of the revisions suggested during the consultation are now part of the interim policy. We are open to further suggestions on revisions in the future.

I would like to recognize the assistance of the Indian Commission of Ontario and the commissioner, Harry Laforme, in developing the interim policy.

I am also announcing today that new consultation committees on these matters are being set up immediately.

One will be a conservation committee with representatives from the province, including the Deputy Minister of Natural Resources, and from aboriginal and treaty organizations. They will meet quarterly to discuss decisions by the Ministry of Natural Resources deputy to proceed with charges against native persons.

Regional conservation committees in the Ministry of Natural Resource's administrative regions will also be set up. Representatives will be drawn from MNR and from area aboriginal treaty and political organizations. These committees will discuss activities that might put conservation objectives at risk; the necessity of existing and future fish sanctuaries; the rare, threatened and endangered species of the region, and the areas in the region that require special protection.

I want to emphasize again that a new approach is needed to deal with the issues surrounding enforcement and the aboriginal right to hunt and fish for food for personal and community use. This new interim enforcement policy provides a mechanism that will help us meet our commitment to find way ways to allow native people to exercise their aboriginal rights. Meegwetich.

SPECIAL EDUCATION

Hon Mrs Boyd: During National Access Awareness Week, I wish to inform members of an important new direction in the education of pupils with special needs.

National Access Awareness Week highlights the importance of removing barriers from the paths of people who have disabilities. Not all these barriers are physical. They are none the less real and they represent real obstacles to full participation in society.

My ministry will therefore begin a widespread consultation on the best way to further the integration of exceptional pupils into local community classrooms and schools. I will also, in the near future, be introducing legislation to amend various special education provisions of the Education Act and related statutes.

This government strongly believes that exceptional pupils who could benefit from integration into local community classrooms and schools should have that opportunity. More exceptional pupils should be able to participate fully in the life of their local, community school. Our goal can be clearly defined: Wherever possible—where it meets the pupil's needs and where it is the parents' choice—integration should be the preferred option.

The special education amendments will also focus on the issue of access. They will address several inequities that currently exist in the availability of special education programs and services.

With respect to integration, I recognize that we cannot move in this new direction without building consensus. In this consultation, it will be important for my ministry to hear from the education community and from organizations and individuals representing people with disabilities, their families and their communities.

My ministry will also be making particular efforts to reach out to communities whose voices may not have been

heard in the past. These include aboriginal peoples, visible minorities and francophones. How far and how fast we should proceed is one issue that this consultation will address. However, I expect the first measures to ensure that the integration option is available throughout Ontario will be in place for the beginning of the school year in September 1992.

There are two other issues of particular importance to be addressed through this consultation. First, the role of parents in reaching decisions about special education for their children needs to be strengthened. We need to look at ways to ensure that parents are fully informed of all possible choices and are involved in special education decisions as full partners. Second, we must discuss the costs of integration, what will be required in the way of human and financial resources and how these resources should be provided.

I want to reassure parents that we remain committed to encouraging boards to provide a full range of special education placements. We recognize that an integrated setting will not be appropriate for every child. The needs of all pupils will be met and placements that have the mutual support of parents and educators will be respected. In this regard, the government believes that there should be more consistency in the options available from one school board to another. I also want to affirm that the provincial schools will continue to be an option for special education.

Details about the consultation process will soon be made available to all interested groups and individuals.

During National Access Awareness Week we can surely say that there is no more important right of access than the right of access to learning. A greater commitment to the integration of our exceptional pupils is, in the end, a greater commitment to an open and more integrated society.

Hon Miss Martel: Mr Speaker, we are awaiting a report that is supposed to be attached to the statement made by the Attorney General. I am just wondering if we can revert to that later on in the proceedings so that both opposition parties will have a chance to see the report as well.

The Speaker: This requires unanimous consent.

Agreed to.

The Speaker: Are there other ministerial statements? We can begin the responses and then we will revert to the Attorney General's statement and provide sufficient time for the responses to that particular statement. So responses to the first two: Is there a response?

1410

RESPONSES

SPECIAL EDUCATION

Mr Beer: I rise in response to the Minister of Education's statement with regard to the integration of exceptional pupils into regular classrooms. At first reading, there is much in here that we can support. Indeed we share with the government the view that those with special needs should be integrated within our local and community schools.

But I do feel the minister has missed an opportunity to state somewhat more forcefully and clearly that which was expressed in the multi-year plan this government had put

forward with respect to those children with special needs, regarding their ultimate full integration into the community. It seems to me that if there was one thing in particular the former government was able to focus on, it was this question of the integration of those with special needs into our community.

Of course, that takes consultation, discussion and the building of consensus, but I believe, as the minister knows, there has already been, with respect to the area of education, a great deal of discussion through her own Advisory Council on Special Education. Indeed many of the groups and organizations active in this field that have been consulting with the minister and with those of us in the opposition have been expressing their concern that this issue is not moving forward as quickly as it might.

While we recognize, as has been said, that there are many needs and interests that have to be met, clearly when we sort that aside, the focus is on the children. Almost without exception, I think the various studies and reports we have seen on various programs that take place in other countries and other provinces demonstrate that the greater the integration of the child, with whatever kind of special need, into the regular classroom, this leads to the best education and the best future for that child and likewise has a tremendous impact on that child's fellow classmates. What we want to be particularly clear and forceful about is that the objective and the goal be that at the end of the day we will build a consensus that in fact will see that this kind of arrangement results.

We know that with all these kinds of programs there will be difficulty about finances. There will be difficulty at times about perhaps parents or others in the educational establishment who feel that, no, what is best is somehow to isolate these children and keep them away from their peers. But I believe that here we have a leadership role in government in working with the various groups and with the various interests to say that we must keep clearly in mind that where we are going is to that full integration.

I welcome this statement in terms of its general direction. I believe it could have been stronger in terms of that ultimate goal. I look forward to discussing with the minister the proposals she will be bringing before this House in the near future, and I am looking forward as well to working with the various groups to ensure that here in Ontario we do end up with an integrated system.

NATIVE HUNTING AND FISHING

Mr Scott: It would be difficult, if not impossible, to object to a statement from the Minister of Natural Resources which builds on the policy of the previous government and which is expressed in terms of such great generality as this one. A couple of points, however, should be noticed.

The policy of interim agreements and the conservation-preservation model that underlies it goes well beyond the decision in the Sparrow case. The minister will not be able in the future, when he is out on the hustings, to say that the devil made him do it. He has to explain, and I know he will want to explain clearly, that the policy he has enunciated has now very little to do with the Sparrow case, but is

essentially the policy of this government. That is point one. I am sure his legal officers, some of whom are in the gallery, will confirm that for him.

The second thing he will want to be very careful about is to recognize that the conservation standards are extremely narrow. For example, a moose is not an endangered species and would not be protected under the conservation standards that are set out in this statement, even if its population is at risk.

The third thing the minister will want to be careful of is that there are a lot of user groups out there who are very concerned, and have legitimate concerns, about the policy of the government. Some method, no doubt in connection with the fishing negotiations, will have to be devised to accommodate them and, frankly, merely hiring the writer for the anglers' magazine is not going to do the trick in 1991.

SPECIAL EDUCATION

Mrs Cunningham: I rise to respond to the statement by the Minister of Education with regard to the integration of exceptional pupils into regular classrooms. Of course, we have all been most interested in having an opportunity to review the legislation that was passed in 1980 and fully implemented by 1985, the old, as we refer to it, Bill 82. We know there are times right now when we can take a look at how it has been, in fact, successfully or not successfully implemented.

I would say to the minister today that a precedent was set by her government on 9 April 1991, where we think that she in fact put forth a policy change or a change in direction with regard to the responsibility of parents. In the past, the individual placement review committees, of course, did have the participation of parents there, and parents with the opportunity with their local boards did not always get what they thought was right for their young people. I would say that one of the reasons would be the funding, and the minister knows that.

I would add, then, that we certainly do know enough, in speaking to local boards and with parent groups, about where their difficulties have been. I would urge the minister very quickly, in fact, to put forth the legislation or the amendments to the legislation that we have right now so we can take a look at what exactly she wants to do and then be much more beneficial in our criticism and in our suggestions for improvement to that legislation.

I commend her for wanting to consult, but I would guess that the communities that work with our disabled youngsters already have good ideas as to what they want. I would suggest that the government has good ideas as to what it would fund and how it could fund it, and I will remind the government of its promise during the last campaign where it said it would indeed provide 100% provincial funding for appropriate specialist staff. The government may change its mind on this, but I think we are ready for the legislation, I think we are ready for amendments, and we are ready to respond with a very direct response.

Mr Wildman: You mean you want to pass legislation in this legislature?

Mrs Cunningham: I speak actually very positively because I think the minister knows what she wants in spite of what the Minister of Natural Resources suggests, and she will come forth with legislation that we can live with because she has that kind of experience, as do we in this party.

NATIVE HUNTING AND FISHING

Mr Harnick: The Sparrow decision has been interpreted by this government to mean that aboriginal rights to fish for food for personal and community use take first priority after, and I stress the word after, conservation and resource management concerns have been satisfied.

It is my position, and I hope the minister's, that he understands that those final agreements have to be agreements that involve conservationists, that involve resource management people, that involve tourist operators and tourists. There is nothing in this statement to dispel the negative perception that tourist operators have and that tourists, in fact, have of the way these interim negotiations have been handled by the minister to date.

Certainly his policy statements constantly refer to the Sparrow decision. It is incumbent upon him, now that we know how he interprets this, to pursue that course and pursue the course making agreements with all of the parties, not making agreements just with aboriginal people and then trying to convince other affected parties what the policy should be. Certainly if all the cards are on the table before final agreements are made, everybody can live much more happily.

1420

Mr J. Wilson: I would like to make a short comment in response to the statement today by the Minister of Natural Resources. Just to reiterate the words of my colleague the member for Willowdale, he did not take the occasion today to dispel the concerns of recreationists and tourist outfitters in the Algonquin Park area. I am getting calls into my office where people are asking whether they should take their families to Algonquin Park this summer. He should have taken the initiative today to dispel those fears.

I am extremely disappointed in this vague announcement in which he did nothing. I hope he is consulting with his colleague the Minister of Tourism and Recreation, but there is no evidence. He does not even mention the word in this statement today. We are extremely disappointed. I will be meeting very shortly with outfitters in the area and I do not think there is anything in here that will make them feel better about the agreements he is reaching behind closed doors.

STATEMENT BY THE MINISTRY

MINISTERIAL RESPONSIBILITY

Hon Mr Hampton: On 22 April 1991 the Royal Canadian Mounted Police in Toronto was asked to investigate the allegedly wrongful contact with the judiciary by or on behalf of the Solicitor General for Ontario. The investigation has now been completed. It is my intention at this

time to provide the members of the Legislature with an accounting of the findings of the independent investigation.

The RCMP has concluded that there is no evidence to support criminal prosecution. Senior legal officers in the Ministry of the Attorney General have reviewed the investigation report delivered by the RCMP and have concurred with this conclusion. With the benefit of the investigation and the advice offered by senior ministry officials, it is my opinion that there is no evidence of criminal wrongdoing by anyone working for or connected to the Solicitor General or by the Solicitor General himself or anyone else involved in the circumstances of the case.

The investigation undertaken by the RCMP was both thorough and comprehensive. It embraced all factual aspects of the allegations of criminal misconduct. The objective of the investigation was to determine whether any evidence existed to support criminal charges against any member of the constituency staff of the Solicitor General or the Solicitor General himself. The investigation included an interview with the Solicitor General himself, who also consented in writing to unfettered access to all files in his office. The files were reviewed and three instances of constituents seeking help where they had improperly been found guilty of a parking violation came to the attention of the investigators.

The subsequent investigation included interviewing each of the three citizens, each of the three constituency office staff who helped them, the members of the court staff who were approached by the constituency staff for direction as to how the constituency staff should assist the constituents, and the justices of the peace who ultimately received the correspondence. No evidence of criminal intention on the part of any individual was found in the investigation.

The RCMP has advised the Ministry of the Attorney General that the report is the property of the Royal Canadian Mounted Police. A letter from the acting officer in charge of criminal operations to the acting assistant deputy Attorney General, criminal law—

Interjections.

The Speaker: Response time will be later.

Hon Mr Hampton: —states that the report was provided to the ministry for the purpose of legal review and analysis only and is not to be made known to any other agency or person.

However, given the nature of the investigation, I understand that there are a number of legitimate questions which the members of the Legislature may have regarding the type and extent of the investigation. In the interests of maintaining the public's faith in the administration of justice, I am releasing to this Legislature a report prepared by the director of criminal prosecutions in the Ministry of the Attorney General. This report outlines the initial processing of the information by the Ministry of the Attorney General and the request made to the RCMP, the purpose of the RCMP investigation and the steps taken to obtain information, a summary of evidence obtained by the RCMP and the legal opinion and conclusions of the director of criminal prosecutions provided to both the RCMP and myself.

This concludes my report to the Legislature on the investigation.

Interjections.

The Speaker: The member for St George-St David may be utilizing some of his response time.

Members will recall that we had earlier had responses, and although we had utilized the apportioned five minutes I would be pleased to allow a two-minute response time to each of the two caucuses, hence the Leader of the Opposition.

RESPONSES

MINISTERIAL RESPONSIBILITY

Mr Nixon: I have to say that the Attorney General's defence of this situation is the weakest I have heard in the House in my experience. There has never been from our side or from the community, there has never been from the editorialists who have called for the resignation of the Solicitor General, an indication of criminal wrongdoing, but simply the breaking of the guidelines set down by the Premier himself. Surely this is the item that must focus our attention. The head of the government has taken unto himself to establish guidelines for the conduct of his ministers and those guidelines were clearly broken.

Mr Speaker, you will clearly recall that the matter became a matter of urgent importance in the Legislature. The Attorney General himself said that in order to escape being pilloried in the House he put the matter in the hands of the RCMP.

Interjection.

The Speaker: The member for St George-St David, I think would want to consider his normally measured tones in response.

Mr Scott: I did not call anybody a liar, Mr Speaker. I said that language should not be used.

The Speaker: The language which was used was not the language which is normally used in this House.

Mr Scott: I withdraw the word.

The Speaker: Perhaps the Leader of the Opposition would continue.

Mr Nixon: Mr Speaker, the response time is totally inadequate but there will be other opportunities, no doubt, to deal with the matter. I am certainly not going to worry about whether the Attorney General said that he called in the RCMP to escape being pilloried in the House. As a matter of fact, he said "pillared in the House," and everybody noticed that particular statement. That is clearly what was said.

The point is this: To say that the report is not the property of this government is absurd and is unacceptable in this House. Because the time to respond is totally inadequate, we will pursue it in the next order of business.

Mr Harnick: It is quite clear that what the government has done is it has taken this incident and pretended it was a criminal matter. It has hidden behind a criminal investigation to avoid admitting ministerial responsibility.

What responsibility does the minister have for staff? That is not answered in any of these investigations.

What instructions did the minister give his staff regarding conflict of interest, regarding instructions about dealing with the judiciary?

Page 8 clearly says—I am talking about the addendum—“He had informally spoken to some of his staff to inform them that they ought not to contact any police agency or the judiciary.” Well, that is not what he said here. He said: “Clearly, we have to have an arm’s-length distance.” Well, that is not the finding that is in this addendum.

We also know, if we look at paragraph 25, that staff member 2 is a receptionist in the constituency office. She did not have any written guidelines or directions in relation to corresponding with the judiciary. Well, that is not what the minister told this House and he has abrogated ministerial responsibility.

Furthermore, how come the Attorney General was not told about this for 10 days? What about the Deputy Attorney General? Where was she through all of this? Why was she not communicating with the Attorney General? Why was there no investigation by the Attorney General to get the letter? Why did they wait 12 days before anybody did anything? Why was the Premier’s office notified before the Attorney General? Furthermore, why did the press have to leak this information so that we would know about it? Why did the government not come clean and why did the government not declare what was going on?

This criminal investigation is a lot of garbage and nothing more. They are hiding behind it. The minister should resign.

1430

ORAL QUESTIONS

MINISTERIAL RESPONSIBILITY

Mr Nixon: I am sure the Attorney General is aware of our total dissatisfaction with his statement. In a superficial perusal of his report on the report, which was late in coming to the Legislature, like his statement, which he held in his hand until a few moments before he stood to read it, we see that the Deputy Attorney General drafted a letter describing to the Attorney General her involvement in the investigation. That letter was reviewed by the acting assistant deputy Attorney General, criminal law, and the director of criminal prosecutions. That letter, of course, is not appended.

There is an indication that three constituents of the Solicitor General were involved. There is an indication that only one justice of the peace was interviewed when two were specifically referred to. How can the Attorney General indicate that he will not table the report so that we can see what those three constituents were saying and what happened to them and what happened to the second justice of the peace who was referred to in these debates?

Can the minister not see that his response is totally unsatisfactory and that this minister cannot, on the basis of that statement, bring this matter to any suitable conclusion?

Hon Mr Hampton: Mr Speaker, the Leader of the Opposition asks many questions in one, so I hope you will allow me the liberty of answering them.

First, I am confident that the RCMP conducted a full and comprehensive investigation, so in the sense that the Leader of the Opposition seems to imply in his question that this may not be the case, I simply reject any implication of that by him.

Second, the Leader of the Opposition indicates that he feels the actual police report itself should be made public. The Leader of the Opposition knows this, because he has been in this House when this has been debated before—

Mr Scott: Ken Keyes’s report was made public.

The Speaker: The member for St George-St David, just—

Mr Scott: It was.

The Speaker: No.

Hon Mr Hampton: The fact of the matter is this: Police reports often involve interviews with many people; they involve secondhand information, thirdhand information; they involve interviews with a great number of people who may not be directly involved with this matter. All of those individuals have privacy interests. That is the first part. It is accepted procedure that ordinarily police reports are not made public and are not released.

The member for St George-St David refers to a report involving the former Solicitor General, Ken Keyes. I want to merely point out to the opposition leader and to the member for St George-St David that the report involved only one person. One person was the subject of the report and that one person agreed the report should be made public. That is the only situation where a report has been made public.

In this case the RCMP said to me very clearly in the letter that this report is the property of the Royal Canadian Mounted Police. In the interest of democracy, I have provided a summary of the investigation and a summary of the information that was obtained, but it would be improper to release that report here and now, due to the privacy interests.

Mr Nixon: On page 945 of Hansard, for 24 April 1991, the Attorney General said as follows, “If I, as Attorney General, did not order an investigation into that, I am sure if I came into the House I would be pilloried for not having ordered an investigation.”

Evidently the editors know a little more grammar than the AG.

The point really is not the Attorney General’s knowledge of the English language, which is obviously very good, but the fact that he ordered the investigation after the pressure came on, that his Deputy Attorney General, he said, knew five days before it became public. Then he told us she knew 10 days before the matter became public. Then it came into the Legislature, and to the Premier’s office, after the press leaked it around. Questions were asked here. Then the RCMP got into the act. Surely the whole purpose of involving the RCMP was to remove the political pressure from the Attorney General and his colleagues to avoid being pilloried—whatever that is—and now that the report comes to the Attorney General he says he does not own it and therefore it cannot be tabled.

Is that not an appropriate scenario of what went on here in this Legislature one month ago?

Hon Mr Hampton: To answer the last reference first, no, it is not an accurate representation of what has gone on. I will repeat from the summary, first of all paragraph 3, that on Friday 12 April, yes, the Deputy Attorney General did receive a telephone call from a judge. The judge was very specific that he had received thirdhand information that a letter allegedly had gone to a justice of the peace. He could not provide the letter and he did not know the contents of the letter. He was directed to find the letter and to forward it to the Deputy Attorney General.

Mr Scott: —to get this kind of garbage and the Premier knows it's right to release this. Have this man's resignation.

The Speaker: The member for St George-St David, while this is an important and somewhat contentious issue, I do not know how we can conduct public business with more than one person speaking at a time.

Hon Mr Hampton: That is the first part. I believe the summary from the director of criminal prosecutions accurately reflects the RCMP report. I believe that the RCMP has the factual context of this whole matter correct in some detail. The Leader of the Opposition can prefer his version of the facts; I accept the RCMP's version of the facts.

Second, I think the Leader of the Opposition knows that the RCMP, having conducted a full and comprehensive examination of this, having interviewed several citizens, having interviewed court officials, having interviewed justices of the peace, understands full well the privacy interest that those individuals may have. They intend to respect those privacy interests. For myself, I have no opposition to the release of the report by the police, but they have made it very specifically known to me that they regard the report as their property. If the member wants to ask them to release it, I invite him to do so.

Mr Nixon: The Attorney General is the chief law officer of the crown in this jurisdiction. Surely he should never have referred the matter to the RCMP if he felt that its jurisdiction was superior to his own. At the time, there was a clear indication from myself and my colleagues that the matter should be reviewed by an independent investigator who would be established under the Public Inquiries Act. We may still have to do that. I would ask the Attorney General specifically, since he cannot handle a question with three parts, will he table the letter from the Deputy Attorney General?

Hon Mr Hampton: I believe the involvement of the Deputy Attorney General in this matter is accurately reflected in the summary that has been provided.

1440

Mr Nixon: On the same subject, the Attorney General is talking in circles and of course it is difficult for us to follow him around that particular circle. The Deputy Attorney General is the chief professional adviser and the senior law officer of the crown in that respect. She was aware of this matter for 10 days, and while the Attorney General may think it is just my strangely warped mind, there was

ample opportunity for his staff to contact the Premier's office, the offending minister and his staff, the judge who was involved in this and to undertake an investigation before it became public.

We notice from the report the Attorney General has given us that the RCMP has not interviewed any of those particular people who would know about that in the Attorney General's office. Then he says that the RCMP report is reviewed by his own law officers, including the very people I have been referring to. Can he not understand why people, even subjective as I happen to be in this particular case, would be dissatisfied with his defence and that we would really require those people to come and give an explanation of themselves, either to a committee of this House or through the Attorney General through the tabling of their information?

Hon Mr Hampton: To correct the Leader of the Opposition again, what the Deputy Attorney General received—

Mr Scott: Just release her letter.

Hon Mr Hampton: —on 12 April was merely an allegation, an allegation that the judge in question indicated—

Mr Scott: Let her speak for herself. Let's see the letter.

The Speaker: The member for St George-St David.

Mr Scott: Sorry, Mr Speaker.

Hon Mr Hampton: —he had no information on, no factual basis for. That is the first correction I want to make.

Second, I want to point out that if the Leader of the Opposition believes, for example, that the assistant deputy minister of the criminal law division and the director of criminal prosecutions do not adequately reflect in this summary the information provided by the Royal Canadian Mounted Police, I cannot do much to help him there. I can only say that those two officials have been public servants—

Mr Scott: Do what the public expects of you.

The Speaker: Would the minister take his seat. It would certainly help to expedite our business if the member for St George-St David could wait for his turn to ask a question. Minister, do you have a few more brief remarks to wrap up your comments?

Hon Mr Hampton: I can say to the Leader of the Opposition that they are public servants who have been engaged in the public service of Ontario for a good number of years. They have proven that they are dedicated public servants. They were dedicated public servants when the Liberals were the government, they were dedicated public servants when the Conservative Party was the government and I can see no basis upon which the member would impeach their integrity.

Mr Nixon: We are interested in the integrity of the Attorney General and, in this instance, the Solicitor General as well. The guidelines are clear. They were broken. There were absolutely no allegations of criminal activity and this particular report deals only with criminal activity.

Interjection.

Mr Nixon: The judge of everyone's conduct, who is interjecting from the Premier's chair in this regard, is

simply assisting in the coverup of this extremely important matter. Now the Attorney General has turned my request for tabling the letter from his deputy into some sort of personal attack by me on her. I know nothing about the person other than that she is fully competent. For that reason, I would like to have her letter tabled so that we would know her view of this situation, since she was the first official in government to know of the matter.

Would the Attorney General not agree that this matter, as it pertains to this House, is not a criminal matter, it is a matter that deals specifically with the Solicitor General breaking the clearly stated guidelines established by the head of his own government? Unless the facts associated with that are clearly known, it is impossible for him to continue in his duties and carry them out fairly and equitably. Surely the Attorney General realizes that by retaining this report and refusing to table the additional information that I have asked for, he has simply added to the vulnerability of the Solicitor General.

Hon Mr Hampton: I want to read back to the Leader of the Opposition some remarks of the then Attorney General, the member for St George-St David, when he was asked to release a police report. I would ask the Leader of the Opposition to listen rather carefully, because he said this, "If the Attorney General decided there is insufficient evidence in the report to lay a charge, should this situation be any different?" He says: "In my respectful submission, it should not, because then he would be releasing to the public, unexpurgated, what might be hearsay, inadmissible evidence that would damage the reputations of citizens, perhaps including, in this case, the individual himself."

Mr Scott: When there was going to be a trial, you donkey. Come on, give me a break.

Interjections.

The Speaker: The remark has been withdrawn. Before we continue, however, I realize that this is a contentious issue and that feelings are likely to run high. The member for St George-St David would assist if he would just relax a bit.

Hon Mr Hampton: I will continue. He says: "There is one other reason why in this case the report should not be revealed, and that is, in dealing with the individual, you want to protect civil rights. To release the report in those circumstances might severely prejudice the individual's right to make his case"—

Interjections.

The Speaker: Order.

Hon Mr Hampton: —"in another forum."

Interjection.

The Speaker: Would the member for Oriole come to order.

Interjection.

The Speaker: The member for Oriole, come to order, please.

Interjection.

The Speaker: We are still waiting for the member for Oriole to come to order.

Have you completed your remarks? Can we wrap it up?

Hon Mr Hampton: If I might conclude, on the day that factual material was presented on this incident, an investigation was requested by an independent police force, the Royal Canadian Mounted Police. That police force has completed a full and comprehensive investigation. I have now placed before the Legislature a report which accurately reflects in some detail the full course of events. If that is not enough for the opposition, that is far more than they would receive in most other circumstances, in most other forums in the Anglo-Canadian world.

1450

Mr Harris: I would like to return to a subject that was interrupted by the introduction of the budget of the Premier, and that is the matter of the Solicitor General's conduct.

This matter has been investigated for potential criminal charges, I suppose. Nobody has suggested that there was any potential of criminal wrongdoing in this whole matter. However, the concern was whether the minister's actions were appropriate vis-à-vis the integrity of the arm's length of the justice system and vis-à-vis the Premier's own guidelines.

When questioned on this matter on 29 April, the Solicitor General said this:

"As I explained on innumerable occasions last week, both in writing and orally, I have communicated very clearly that there had to be an arm's-length difference between my office and the judiciary. I have re-emphasized that, it has been in writing, it has been oral."

In the report that we have been given today from the Attorney General's office, page 10, number 25, it says:

"Staff member 2"—this is the experienced one—"who attempted to assist constituent 2 wrote a letter to a justice of the peace. Staff member 2 is a receptionist in the constituency office. She did not have any written guidelines or directions in relation to corresponding with the judiciary."

In view of the fact that the report, the vetted report that we have been given by the Attorney General, points out very clearly a statement in absolute contradiction and opposite to what the Solicitor General told us in this House, would the Premier not agree that the Solicitor General has violated his guidelines and would he not agree that he has violated the guidelines of telling this House the whole truth?

Hon Mr Rae: The first thing I want to say to the House is that the first I had seen of either of these documents was this afternoon, along with everybody else, so I have had no more or less opportunity to discuss the contents of these documents with anyone, including the Attorney General or the Solicitor General.

I must say I find it bizarre when a member of the opposition says, as the member for Willowdale says today, "This criminal investigation is a lot of garbage."

Interjection.

The Speaker: Member for Willowdale, come to order.

Hon Mr Rae: I find it passing strange that a member of the opposition would say that about an investigation

conducted by the Royal Canadian Mounted Police. I just find that a very strange comment to make.

The director of criminal prosecutions—

Interjection.

Hon Mr Rae: If the member for London North will allow me just to answer, the director of criminal prosecutions, in the report that, as I say, I have just received this afternoon along with everyone else—and I am not surprised that it has not been quoted by either opposition leader, but I think it is worth quoting. It is talking about the interview between the Solicitor General and the police.

“The Solicitor General impressed the officers as being a man of high integrity who was making a concerted effort to serve the people of Ontario in his role as the Solicitor General. No evidence of benefit, directly or indirectly, from the writing of these letters was obtained during the course of the investigation. Accordingly, they concluded that as a matter of law reasonable and probable grounds did not exist to support a belief on their part that a crime had been committed by him.”

With respect to the guidelines, I would simply say to the members of the House that I have already indicated very clearly that the letters that were sent should not have been sent. I have indicated that very clearly. It has also been made very clear that the Solicitor General neither authorized nor wrote nor had anything to do with the writing or signing of the those letters.

Mr Harris: In response to my question, where I quoted the report that was released today, the Premier said, “I am not surprised none of the opposition parties are quoting this report.” I am quoting this report, even though it is vetted, even though it is not the report of the RCMP. This is the vetted report from the Ministry of the Attorney General.

On 25 April, the Solicitor General, in response to questions from myself, said: “There are specific conflict guidelines for constituency offices that were developed at the end of February and that were received in my office on 1 March. They are specific for that particular group. That is why the staff received them so promptly after they were issued.”

That is what the Solicitor General told this House, that he was living up to his ministerial responsibility and informing his staff of the arm’s-length requirement.

The report that I quoted from in the first question and I quote from right now says on page 8, “He had informally spoken to some of his staff.” Then on page 10, in reference to the staff member who wrote the letter, it says: “She did not have any written guidelines or directions in relation to corresponding with the judiciary. Consequently, she contacted the staff of the courthouse in Toronto” and carried on from there and wrote the letter.

The Solicitor General stood in his place repeatedly, after repeated questions from me and others in this House, and said: “I informed my staff. I told them orally. I told them in writing. I told them they were not to contact the judiciary. Yes, yes, yes, I did all those things.” Now this report from the Attorney General says none of this took place. Does the Premier not believe this report from his

Attorney General, or does he not believe what his Solicitor General told this House? Which one is it?

Hon Mr Rae: I just would say to the leader of the third party that if he has a question with respect to the Solicitor General, directly with respect to what he has said, that is something which can be directed specifically to him.

I will simply say to the leader of the third party that think it is important for us to recognize that the Solicitor General has stated in this House on many occasions, and this was entirely accepted as an explanation by the officers conducting the investigation, that he had no knowledge.

What is more, with respect to the propriety of what took place, I think if the member is going to be fair with respect to the individual members whom he has quoted, it is extremely important that he read the entire statement with respect to what was said. In this case:

“The assistance included instructions as to how constituent 2 should swear out an affidavit.... Staff member 2 followed the instructions and, consequently, the justice of the peace marked the court documentation as completed. In the circumstances of the case, the officers concluded that reasonable and probable grounds did not exist as a matter of law to support a belief in the commission of any crime by staff member 2.”

To be fair to everyone concerned, I think it is important for us to know that it is difficult on the face of what is in front of me here to conclude as quickly or as immediately as the leader of the third party has done that there is some kind of a discrepancy with respect to the evidence.

Mr Harris: Let me say this to the Premier: The only arm’s-length approach that we have seen has been an arm’s-length approach to accepting ministerial responsibility. Clearly, that is the only arm’s length, and that is not acceptable, as the Premier knows, of any minister of the crown, and should not be acceptable to him.

I would ask the Premier this: In light of the fact that we have a statement repeated, repeated, repeated time after time in this House from the Solicitor General that is exactly 180 degrees opposite to the statement given to us on page 10 by the Attorney General today, and in view of the fact that the Attorney General says the RCMP documents cannot be released and made public—I do not understand why; there is no criminal investigation, but this is what the Attorney General said—will the Premier agree to send this whole matter to the standing committee on administration of justice, where the RCMP report can be made available—as were all the Astra/Re-Mor documents, even though there was a criminal investigation under way—in confidence to all the committee members, the same way he insisted back in 1980, and where we can get to the bottom of whether the Solicitor General instructed his staff orally and in writing, as he told this House he did, or whether the Attorney General and the RCMP have come to the right conclusion that he did not in fact instruct any of his staff about dealing with the judiciary? Will he agree to send this matter to the justice committee, where we can get to the bottom of this?

1500

Hon Mr Rae: I am really troubled by the allegations that are being made today with respect to the independence of this investigation and with respect to the evidence that is being put forward. I think it is entirely unfair.

As soon as there was any evidence with respect to this matter, it was referred immediately for investigation. We have a statement by the director of criminal prosecutions that it is the belief of the officers that the Solicitor General is a man of high integrity, making a concerted effort to serve the people of Ontario in his role as Solicitor General.

It seems to me that some credence—

The Speaker: Would the Premier take his seat, please.

Mr Harris: The Premier is suggesting now this goes far beyond the initial breach of his guidelines two or three times. This goes as well to what the Solicitor General told this House in complete contradiction to what we now hear from the Attorney General. However, while the Premier is contemplating sending this matter to the justice committee, I have a second question for the Minister of Education.

EDUCATION FINANCING

Mr Harris: We know that it will cost over \$14 billion of taxpayers' money to educate our Ontario children this year through to the end of high school. Can the minister tell us how much of this \$14 billion will be spent specifically in the classroom educating children and how much will be eaten up by the various levels of bureaucracy, ie, money spent that is not directly being spent educating our children in the classroom? Can the minister tell us that breakdown?

Hon Mrs Boyd: No, I certainly cannot in any detail at this particular point in time. I would say to the member, however, that it is not quite as simple as saying that things are spent in the classroom or not in the classroom and therefore they are not directed at education. It is certainly very necessary, as the member is well aware, that one needs an infrastructure within which to make changes and within which to deliver programs. If the member is interested in having more detailed information, I will certainly undertake to get him that in due course.

Mr Harris: I am very interested. I would have thought the minister would be interested. Fourteen billion dollars is a lot of money. There is a growing sense out in the community that more and more of those dollars are being wasted, frittered away on duplication, on bureaucracy, and less and less are getting to children in the classroom. I am shocked the minister does not know what is happening there and how many dollars there are.

When every other province understands and is prepared to enter into discussions with regard to nationalized testing, can the minister tell me why we here in Ontario are the only province with the only Minister of Education, the only Premier, the only cabinet that is not interested in the slightest bit in participating in finding out how well our students are doing for the \$14 billion that we are spending on them?

Hon Mrs Boyd: Just in response to the first part of the member's statement, I would like to remind him that

there are very detailed estimates that do outline what our resources are used for in education. When he suggested that I could tell him exactly the proportion that was used in the classroom, he understands exactly why that is not possible in terms of the division of responsibility between school boards and the provincial ministry. In fact we have very extensive auditing processes that are available to the member at any time that indicate how that money has been spent and how the school boards of the province and the ministry itself are accountable.

In the second instance, I think we have talked a great deal in this House about our reason as a government for retaining observer status in terms of the national standards testing. We do not believe that in fact it will give us the information that the member thinks we need and that our government thinks we need. We do think we need to be evaluating how we are doing in our schools with our curriculum, but the national testing that is being proposed will not do that. It will not take account of what our students are supposed to have learned or indeed what kind of student body we have.

It is particularly important for the member to understand that we want the same kind of evaluation that he wants. We just do not believe that is the way to get it. We have not opted out entirely; we are retaining observer status. If the other ministers of education are prepared to look responsibly at the kinds of questions Ontario is asking, we would be prepared to revisit the issue.

Mr Harris: The national testing questions have not even been drafted yet. I do not know why the minister says they do not meet her needs. She says she does not want to participate because of the questions, but the questions have not even been drafted yet. Surely the parents in Ontario are entitled—as the parents all across the world are, let alone here in Canada—to know whether their \$14-billion expenditure is providing the kind of education that is keeping our students up to national and international standards.

The minister has stated that there are audits available to me. The minister will know that there is no provision for mandatory external audits of our school boards. She has no concrete assurance that our education dollars are being spent efficiently, aside from the standards issue. The 1990 Provincial Auditor's report indicated more efficient management of bus routing in York region alone could save the board \$1 million a year. That is one out of 168 school boards for one service, just the transportation.

In order to ensure the accountability of our \$14 billion of tax dollars, will the minister introduce mandatory external audits of our school boards this year so we can get an unbiased handle on whether we are getting value for our \$14 billion?

Hon Mrs Boyd: The member mentioned the York region audit, and that is exactly what happens. There is a rotating audit process of different boards that is done on a surprise basis and that gives the kinds of interesting statistics to us that he was able to quote. At the present time, to be quite frank, if we were to spend the kind of resources he is suggesting on an external audit of each and every board,

the tax dollars in this province would soar to astronomical proportions.

We have an internal audit process. Every single board has an internal audit process that is published to the citizens, and we believe very firmly that there needs to be more control. We have talked in this House about the need to revise our financing of education so that there is more accountability. We are not in any way saying that is not necessary, but we are saying that it is a process that needs to take us into a whole new era of accountability in this province. That is what we have pledged to do and what we intend to do.

1510

LABOUR DISPUTE

Mr Nixon: I have a question for the Solicitor General. The Solicitor General will be aware that his executive assistant has confirmed that there was an exchange of telephone calls with his office, presumably with the minister's executive assistant, from CAW Local 1451 involved in the Budd strike at Kitchener and then a response from his office to the local police.

Can the Solicitor General, who must have looked into this matter by now, report to the House the circumstances as seen from his particular office?

Hon Mr Farnan: There was a communication made by the policing services division of my ministry with the Waterloo Regional Police. Under the current legislation it is the legislative responsibility of my ministry to provide to municipal chiefs of police information and advice respecting the management and operation of police forces, techniques in handling special problems and other information calculated to assist. We did provide information and we did not provide advice.

Mr Nixon: Whatever the perception of the Solicitor General, he would be aware that both the president of the company and the president of the union felt that, following their request to the Solicitor General's office, the police changed their activities and in fact brought about an entirely different outcome.

Is the minister aware that, because of the activities as they were perceived at the local community, violence persisted in the community, that even after his advice, so-called, to the police had been undertaken, a car was burned, a rail line was broken and the power was interrupted because of the dislocation of a transformer to a large section of this city? Would the minister not agree that his advice in this instance had very destructive effects in the community?

Hon Mr Farnan: The chief of police of the Waterloo region has said there was no attempt to influence his police force. Second, good preventive policing demands that we take preventive action to stop, to make sure we do not have violence on the picket line.

Mr Scott: You guys haven't got the nerve.

The Speaker: The member for St George-St David.

Mr Harnick: You have no credibility to answer this question because what you say tomorrow will be different.

You can't remember from one day to the next what you said.

The Speaker: You appear to have company. The member for Willowdale. Enthusiasm is one thing and making it impossible for people to hear is another.

Could you briefly conclude your remarks.

Hon Mr Farnan: I am very proud of my ministry. I am proud of the role they play. I am very proud of the fact that they encourage preventive action and that they do not want violence on picket lines and that they do indeed encourage local police chiefs to bring together both parties so that we can have peace on picket lines.

MINISTERIAL RESPONSIBILITY

Mr Carr: My question is to the Solicitor General. I hardly know what incident to go after. I just hope we have the RCMP on a retainer with all the incidents in the Solicitor General's office. On 29 April, the Solicitor General said:

"As I explained on innumerable occasions...both in writing and orally, I have communicated very clearly that there had to be an arm's-length difference between my office and the judiciary. I have re-emphasized that, it has been in writing, it has been oral, and I am prepared to accept the investigation that the RCMP conducts."

This RCMP investigation has said contrary to that. My question is very, very clear. Why is there a very definite contradiction between these two statements?

Hon Mr Farnan: For four days in the House we had questions about this issue. I answered those questions. I stand by the answers I gave at that time. I was interviewed by the RCMP. I stand by the answers I gave the RCMP. When is the opposition going to attempt to drag itself out of the gutter and address the bread-and-butter issues of this province?

Mr Carr: It is very clear that this Solicitor General should not be talking about people in the gutter, because he has no credibility whatsoever. I will refer to the throne speech, which talks about integrity. It says:

"Our task is to guard against institutional arrogance and the abuse of power wherever they exist....It is our job to address that cynicism and to overcome it. When my government makes mistakes it will admit them."

Will the Solicitor General admit to this House that he made a mistake and resign and do the honourable thing today?

Hon Mr Farnan: Let me just point out, in terms of cynicism, that we have a substantive agenda in terms of housing, in terms of health, in terms of environment, in terms of education and community and social services. We have a substantive agenda. If there is cynicism, it is among the people of Ontario when they watch the antics of the opposition parties.

NATIVE ISSUES IN TEMAGAMI

Mr B. Ward: I have a question on a different subject. My question is for the Minister of Natural Resources and minister responsible for native affairs. The last time I asked a question I got in trouble because I talked about the

Conservatives' waste of taxpayers' money in the House, so I will not talk about that. I will just ask my question.

Last week I heard news stories of an announcement the minister made in Temagami. As I am sure this is a matter—

Interjections.

The Speaker: Member for Mississauga North, stop. Order, please. This is a chamber without air-conditioning and there are occasions when the temperature rises. The member for Brantford with his question.

Mr B. Ward: At least this question is of interest to me and the members on this side of the House.

I would appreciate if the minister would elaborate on the council authority which was established through these announcements, as I said, that were made in Temagami.

Hon Mr Wildman: As the member has indicated, last Thursday I made a couple of important announcements in Temagami. One was the appointment of a new, comprehensive planning council to advise the Ministry of Natural Resources with regard to management decisions on the management of resources throughout the Temagami region.

This comprehensive planning council will strengthen local involvement. It involves representatives of many interests in the area, including labour and mining, which were previously not represented on the Temagami Advisory Council appointed by the previous government.

Along with the Teme-Augama Anishnabai, we also announced the signing of an addendum to the memorandum of understanding signed by the previous government, setting up the Wendaban Stewardship Authority, with 50% representation from the first nation and from the provincial government. This will have a shared responsibility for the stewardship of the resources—

Interjections.

The Speaker: Order. The Speaker determines the amount of time for questions and responses. While I appreciate the assistance of members, there are particular times when I really do not require that assistance. The member will conclude his remarks.

Hon Mr Wildman: Those of us on this side of the House who are from the north are used to the members on the other side not being interested in northern issues.

I will conclude by saying that the stewardship authority follows through with the commitment made by the previous government for shared management of four townships in the Temagami area.

Mr B. Ward: My supplementary focuses on the comprehensive planning council. If this is replacing the Temagami Advisory Council, what is the news on this announcement?

Hon Mr Wildman: It was significant news in that there were representatives of the logging industry, the tourist industry, labour and the environmentalists. As a matter of fact, there were representatives in that room who had participated in blockades of Red Squirrel Road by the environmentalists and of the cottage road by the loggers. They were all there with a very positive attitude to work together to resolve the issues in Temagami. We are going to do it because we believe the resources of the north are

necessary, if they are to be managed properly, to ensure a future for the economy and the environment of northern Ontario.

1520

LABOUR LEGISLATION

Mr Offer: I have a question for the Minister of Labour. On 8 March he appointed a committee of management and labour representatives to examine no less than 30 proposals for major labour law reform. He gave the committee one month, 30 days, for the examination and drafting of a final report. Both sides say this was an extremely short time to chart a future for labour law reform in the province.

My question to the minister is, will he share with this House his plans for future public consultations on these important matters before legislation is drafted and introduced?

Hon Mr Mackenzie: When we have a paper prepared suggesting amendments to the Ontario Labour Relations Act, they will be introduced to members in this House and shared for consultation.

Mr Offer: I do not think that answer is sufficient because that does not meet the needs of management and labour in his own consultation document.

In the report management stated, "It is not possible, with the time frame given to the committee, to make its report to provide the necessary in-depth research and analysis of the implication of the many proposals." They were not able to comment on the crucial issues of sectoral bargaining and successor rights. In fact, many of the issues raised in the report require greater public understanding and need further discussion.

The United Steelworkers' representative, Brian Shell, stated to the Ottawa Citizen, "We are convinced we can only change the old, obsolete ways through discussion." In the interest of co-operation on all sides, will he commit to immediately putting his 30 wide-ranging proposals to the standing committee on resources development or to any legislative committee here, so that further public consultations can be held prior to the introduction of legislation?

Hon Mr Mackenzie: To begin with, I do not know which 30 proposals the member is talking about because we have not as yet made proposals. We had suggestions come back to us from the management and labour sides of the initial group. We are looking at those proposals now and there are a number of suggestions made in the original report—

Interjections.

The Speaker: The member for Mississauga North might like to hear a response to his question.

Hon Mr Mackenzie: There are any number of suggestions in the original documents that were presented to us by both management and labour that will take an additional study. Probably sectoral bargaining is one of them. When we have prepared a set of suggestions for OLRA reform, we will bring them forward in this House.

WAGE PROTECTION

Mrs Witmer: My question is also for the Minister of Labour, and I hope we get some answers.

Bruce McDougall, president of SPRINT, Senior Peoples' Resources in North Toronto, after 30 years with Shell Canada, has lent his financial expertise to this organization for seniors. It has an annual budget of \$1.5 million and offers a complete range of senior services including Meals on Wheels, home help, transportation services and senior day programs.

Mr McDougall has already received two calls from board members who are concerned about their personal liability under Bill 70. If SPRINT has to obtain directors' and officers' insurance or, failing that, set up a contingency fund to cover the liability, the money will come out of the operating budget for the Meals on Wheels program. That is food out of the mouths of seniors.

Based on this information and the many, many concerns that are being raised daily about personal liability for officers and directors, will the minister commit himself today to bringing in an amendment to exempt these officers and directors of non-profit organizations from the provisions of Bill 70?

Hon Mr Mackenzie: As I think I indicated to the member in the question she asked yesterday, the issue is one that is not yet resolved. If we can get on with the debate on the bill, we may see what amendments are possible to that legislation. In the meantime, I would hope that the Labour critic for the Tory party is as interested in the tens of thousands of workers who earn money, that is not a handout to them, money they do not collect, and that is exactly what the legislation is there for.

Mrs Witmer: I am very concerned about the thousands of employees in this province who are lacking wages and are looking forward to receiving support. However, I would remind the minister that he has had an opportunity to do something about this legislation.

I would remind him that the discussion paper, Wage Protection Fund, dated December 1990, stated on page 19, "Improved wage recovery from directors and officers may have the following unintended effect." This is what it says and this was known to the minister. "There may be a disincentive to become a director or officer of a corporation. This would be especially severe in the case of non-profit corporations where the directors volunteer their time and energy as a contribution to the community. It may therefore be appropriate to exempt non-profit corporations."

Can the minister tell this House why he did not follow his own ministry's advice on the detrimental effect Bill 70 would have on non-profit corporations?

Hon Mr Mackenzie: I think the member will know that is one of the issues I raised in our statement on the legislation in the House that we were prepared to take a look at. I think it is important that we get on with the debate on this particular piece of legislation, and we have not made final decisions on that.

I am sure there would be criticism of us as well in the discussion papers if we did not put in the pros and cons, which we did in almost every section of the bill, what the

strengths were and what the possible downsides were. That was for the purposes of making sure people understood the legislation.

The member should also know that even in non-profit organizations, under the Business Corporations Act there is a liability for wages and vacation pay even now.

BUDGET

Mr Sutherland: My question is to the Treasurer regarding the budget. Last week I had the pleasure of touring my riding and the riding of Perth with the member for Perth. We met with environmentalists and women's groups, and I want to pass on to the Treasurer that those people are very supportive of the budget and what is in there.

My question to the Treasurer has to do with some of the comments the Prime Minister has made on his tour in the Far East. Given the fact that many opposition members in this House have said that this budget will have a negative impact on investment, I wonder if the Treasurer would like to comment on what impact he feels the Prime Minister's comments will have on the province of Ontario.

Hon Mr Laughren: I very much appreciate a question of real substance concerning the budget. I hope this lays to rest once and for all any thought that because they are members of our caucus, they ask us easy questions. That is simply not the case.

I was very surprised to read about and hear the comments of the Prime Minister when he was in Tokyo. I always thought we used the world stage to promote ourselves, not to demean ourselves, so I was shocked and appalled, as some would say. I do think the world community will judge investment in this province, because of its inherent wealth and because of the insistence of this government that we will manage the economy in a prudent way.

I think the reaction of people across Canada has been quite illuminating, in that there seems to be a collective dismay that our Prime Minister would use the public stage to put down the province of Ontario, and if it is not the province, any other part of Canada.

1530

Mr Sutherland: Just before I ask my supplementary to the Treasurer, I want to comment on the fact that I had phone calls from residents who are now not going to be on the tax rolls any more who are very supportive of this budget.

Could the Treasurer tell us what impact this filibuster by the opposition is going to have on our being able to implement the budget and help those people who are really in need in this province?

Hon Mr Laughren: I know time is limited, so I will be brief. I think what is bothering a lot of us about the filibuster by the third party is not just the fact that it costs \$1 million a week to run this place and they have drawn it to a halt. That in itself is deplorable. However, I think what is really bothering us is that there is a lot of good legislation that we would like to lay before the House and get on with and have a serious debate.

Interjections.

The Speaker: Will the member for York Mills restrain himself.

Interjections.

The Speaker: The member for York Mills, come to order. Hearing members shouting at each other across the floor of the chamber is not appreciated by the Chair, and I doubt very much that it is appreciated by those folks who watch us every day.

Hon Mr Laughren: I will conclude by simply saying that, as a government, we are very anxious to get on with a debate on the budget. The next speaker in the budget debate is the leader of the third party, the member for Nipissing. We are very anxious to hear what he has to say about the budget, because we are a government that not only cares; we are a government that listens as well.

LABOUR LEGISLATION

Mr Offer: On a point of order, Mr Speaker: Earlier on I asked the Minister of Labour a question dealing with 30 proposals for major labour law reform. In his response he seemed not to admit that there were in fact these 30 major labour proposals. I have the terms of reference by his own Ministry of Labour, which contain not one, not two, not three proposals, but indeed 30 proposals for labour law reform. I ask, Mr Speaker, that you take that matter to the minister—

The Speaker: Will the member take his seat, please. The member will know it is not a point of order. It certainly is a point about which he has a great of interest, and probably the minister has been listening to his comments.

PETITIONS

TVONTARIO TRANSMITTER

Mr Villeneuve: This is a petition addressed to the Honourable the Lieutenant Governor and the Legislature of the province of Ontario:

"We are pleased that a dual service transmitter providing coverage, a radius of 45 kilometres, has been recommended for Cornwall and area;

"However, we, the undersigned, feel that this project should be undertaken without undue delay, as thousands and thousands of taxpayers in the area cannot benefit from TVO and La Chaîne's excellent programming because they do not have access to TVO via cable."

This is signed by numerous residents of S-D-G and the riding of Cornwall.

WASTE MANAGEMENT

Mrs Caplan: I received this petition today from a delegation from northern Ontario representing the towns of Kirkland Lake, Englehart and Larder Lake. I will read the petition, which is to the Legislative Assembly of Ontario.

"Whereas the Minister of the Environment of Ontario has specifically stated that 'solid waste must be viewed as a resource'; and

"Whereas the Minister of the Environment of Ontario has stated that 'diversion from landfill will be mandatory for all communities in the province of Ontario';

"Whereas the north has shipped its raw resources south since 1902 for secondary manufacturing and the agreement with Metro Toronto will guarantee a recycling operation in the north capable of assisting all communities in the north by 'retaining our resources diverted from landfill by northern communities for processing in the north';

"Whereas the Northeastern Ontario Municipalities Action Group have passed the attached resolution of support of the Adams mine recycling and solid waste facility on 4 March 1991, including conditions that allow further development of the Ontario Northland Railway and access to recycling development for all northern communities;

"Whereas the Minister of the Environment has indicated that she will not entertain examination of the Adams mine option based on her stated 'philosophical party policy,' and she has refused to consult with the elected officials of the communities, the economic development officials or community groups requesting a fair assessment;

"Whereas the northern caucus members of the NDP have similarly failed to discuss or review the overall benefits to the environment, to the economy and the long-term job opportunities that this project can bring to the north;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Be it hereby resolved that the provincial government and the Ministry of Northern Development and Mines support a full environmental assessment under all terms of the act regarding the feasibility of importing solid waste into the north on the conditions that recycling secondary industries and safe environmental conditions are guaranteed and proven as a result of the assessment;

"Furthermore, that the provincial government and the Ministry of Northern Development and Mines examine the economic benefits and stability that may result to the Ontario Northland Transportation Commission as a result of this initiative and that it be an integral part of all planned development and that the provincial government and the Ministry of Northern Development request that the north be considered immediately as a potential option for the GTA's long-term waste management solution, providing all of the above are substantiated as a result of the environmental assessment."

This petition as been signed by the council of the town of Kirkland Lake and further passed at a meeting of the Federation of Northern Ontario Municipalities, which also affix its support to this resolution. I present it to the House.

TAXATION

Mr O'Connor: Today I am presenting two petitions. I have a petition here to the Legislative Assembly of Ontario from the Canadian Auto Workers Local 222 in Oshawa. It has been signed by members concerned about the gas guzzler tax. They would like this tax to be eliminated and I am pleased that the Treasurer has agreed to form a working group with the union, and the manufacturers as well, to study an alternative to the gas guzzler tax such as placing an environmental tax on all cars and giving rebates to those turning in old gas guzzlers. I have signed my name to this petition.

PARLIAMENTARY PROCEDURE

Mr O'Connor: The second petition is on stalling tactics—

Interjections.

Mrs Caplan: You're not interested in the assessment. You don't want economic development.

The Speaker: Would you stop the clock, please. Two things: First of all, I would appreciate if the member for Oriole could restrain herself a bit so that I could hear the petition. Second, I draw to the members' attention—

Mrs Caplan: I apologize, Mr Speaker, but the Minister of Municipal Affairs did provoke—

The Speaker: Just remain seated. I draw to the attention of all members, and in particular the member for Oriole, rule 35(b): "A member may present a petition in the House during routine proceedings. The member may make a brief statement summarizing the contents of the petition and indicating the number of signatures attached thereto." I guess the difficulty and one of the reasons why the standing order is there is that we have a limited amount of time each day for the presentation of petitions and that time has to accommodate all of the members who wish to present petitions.

1540

Mr O'Connor: This is in regard to the filibuster of sorts that we are hearing from across the floor.

"Mike Harris, listen up: Make your point and get on with it. We are tired of your stalling.

"To the Lieutenant Governor of Ontario and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas the Conservative members of the Legislature have been using various tactics and delay to obstruct the business of this House;

"Whereas the grandstanding of the Conservatives is wasting the Legislature's time and taxpayers' money;

"Whereas the Conservatives are fighting for their political lives at the expense of the working people of Ontario;

"We call on the Legislature to get on with the business of the public, in particular the debate around the employee wage protection fund, Bill 70, to help laid-off workers—wages, vacation pay, termination and severance owing to them. It is essential.

"This NDP government is committed to protecting the workers during this tough—"

Mrs Caplan: On a point of order, Mr Speaker: Under standing order 35(b), which I believe the Speaker just read very eloquently to the House as instruction to all members, I would point out on this point of order that the member is in fact not paying any attention to the direction of the Speaker and that when that happens it can provoke responses from members of the opposition that might be disruptive.

The Speaker: It would be appreciated, of course, if when petitions are presented all members will be alert to the provisions of the standing orders and present their petitions with only a brief summary of the petition and the

number of signatures attached thereto. Would the member quickly conclude.

Mr O'Connor: "This NDP government is committed to protecting the workers during this tough economic time and the effects of the Tory government's free trade agreement. Other legislation designed to protect tenants and to ensure automatic collection of support payments for women and their children is also being held up because there is grandstanding going on."

This petition has been signed by people from all corners of the province, including people from Hamilton, London, Jackson's Point, Penetanguishene and Sudbury, and I have affixed my signature thereto.

SOCIAL ASSISTANCE

Mr J. Wilson: I am pleased to present a petition to the House today on behalf of the good people of Simcoe West, and it reads:

"Whereas after reading the new welfare proposals that are currently circulating and apparently passing into legislation without debate, we must voice our objection to the easy access, continued dependence and expense to society these changes to the welfare system would entail. We are opposed to these changes and hope that you, as the representative for us in Parliament, will speak out against them and inform the office of Zanana Akande about this objection."

It is signed by 139 very concerned and good people in my riding of Simcoe West, and I am pleased to affix my name to it and present it to the House today.

PARLIAMENTARY PROCEDURE

Mrs Mathysen: Like my honourable colleague, I, too, have a petition addressed to the Legislative Assembly of Ontario, signed by 31 Middlesex constituents, and these constituents are also angry with the Conservative Party for its delaying tactics, its obstructionism and its waste of taxpayers' money, and they beg leave that we get on with the important business of governing the province of Ontario, as the voters of Ontario have mandated.

I have affixed my name to this petition.

INTRODUCTION OF BILLS

CITY OF OTTAWA ACT, 1991

Mr Chiarelli moved first reading of Bill Pr63, An Act respecting the City of Ottawa.

Motion agreed to.

LEGISLATIVE ASSEMBLY
AMENDMENT ACT, 1991LOI DE 1991 MODIFIANT LA LOI
SUR L'ASSEMBLÉE LÉGISLATIVE

Mr Arnott moved first reading of Bill 111, An Act to amend the Legislative Assembly Act.

M. Arnott propose la première lecture du projet de loi 111, Loi portant modification de la Loi sur l'Assemblée législative.

Motion agreed to.

La motion est adoptée.

BUILDING CODE ACT, 1991

LOI DE 1991 SUR LE CODE DU BÂTIMENT

Mr Cooke moved first reading of Bill 112, An Act to revise the Building Code Act.

M. Cooke propose la première lecture du projet de loi 112, Loi portant révision de la Loi sur le code du bâtiment.

Motion agreed to.

La motion est adoptée.

Hon Mr Cooke: I will summarize the explanatory notes since they are quite long. This bill proposes a number of amendments to create a comprehensive set of standards for regulating existing buildings. This would be in addition to the Ontario Building Code's current mandate to regulate the construction of new buildings as well as the renovation and demolition of existing buildings.

There are numerous amendments to the Building Code Act being proposed in this bill. Most are part of our ongoing efforts to streamline the building regulatory system while supporting the industry's efforts to introduce more efficient, safe and innovative building techniques. These measures include allowing municipal officials to issue conditional building permits in special circumstances to speed up construction; permitting the use of innovative building materials and new construction techniques that have the same level of safety and performance as those currently approved by the building code; and finally, consolidating building regulations by incorporating the plumbing code directly into the building code.

To conclude, I am confident that the measures introduced today will support building safety, energy efficiency and water conservation and that they will promote innovation and help make our building industry more competitive.

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ORDERS OF THE DAY

OPPOSITION DAY:

BUDGETARY POLICY

Mr Bradley moved opposition day motion 3:

That in the opinion of this House, the budgetary policy of the Bob Rae government fulfils the worst fears people have of the inability of the New Democratic Party to restrain and control government spending; results in the highest deficit in the province's history, at least \$9.73 billion; increases taxes by at least \$1 billion; and condemns the province to a generation of crushing debt and increased taxation. Therefore, this House calls upon the Premier and the Treasurer to introduce a new budget after appropriate consultation with the people of the province that provides a strategy for debt reduction, manages government spending, reduces the taxation burden for individuals and businesses, and creates a climate for economic recovery and growth.

An hon member: All in favour will please say "aye."

The Speaker: I think that comes later.

Mr Bradley: It is my pleasure to be able to participate in this debate today, which arises from the recent budget

announced by the Treasurer of the province of Ontario in this House.

The first figure that strikes everyone, and rather in a pronounced way, is that of the unprecedented deficit that we are incurring in this province. The NDP deficit of \$9.7 billion is the highest deficit in the province's history. This triples the previous record of \$3.18 billion in 1982-83. A deficit that is near \$10 billion means that \$1,000 will be borrowed for every man, woman and child in the province of Ontario. The NDP is nearly doubling the provincial debt. The \$10-billion deficit level increases the total provincial debt by 33% in one year to \$51.7 billion in 1991. This translates to more than \$5,000 for every man, woman and child in Ontario. Probably it is the child portion which is most significant, because they will be paying for this for many years to come.

The NDP is forecasting high deficits throughout its term of office. By 1994 the NDP expects to decrease the deficit only slightly, to just below \$8 billion. These high deficits will nearly double Ontario's debt to \$76.3 billion by the year 1994. More money out of every tax dollar will be required to pay down the debt, and this of course is a consequence that must be faced by the children who are in our society today.

Management Board has a specific responsibility, which is to look carefully at each of the proposed expenditures of the government of Ontario to determine whether those expenditures are essential in any given fiscal year. Each of the programs has to be scrutinized to determine whether in 1991 it is relevant to today's needs. We look to see if they are relevant, we look to see if they are necessary, and then we determine whether some programs can be eliminated or scaled down and whether others may proceed.

Now some progress, it is obvious, has not been made in this direction, because some of the programs may well be unnecessary as we move into the 1990s. Other programs which are planned, or projects which are planned, may be able to be phased in at a different rate than was anticipated originally, particularly taking into account the recession. It appears that insufficient time and effort went into this particular exercise. Certainly the new so-called Treasury Board will have a major job to do in looking carefully at those expenditures and determining the best place to spend in order to get us out of the recession and provide the necessities for the people of this province.

We also have new taxes in the midst of the deepest recession that we have had since the 1930s: \$1 billion in tax increases in the NDP budget. Ontario taxpayers will pay that as a result of the budget which was brought down by the Treasurer. The NDP raised in that budget 11 different taxes worth \$1 billion on a full-year basis, ranging from gasoline to so-called sin taxes to taxes on businesses. The budget contained one tax reduction, for Ontario's people living below the poverty line, in conjunction with a move of the previous government.

Fuel taxes will be increased by 30% in just eight months. Diesel taxes have gone up 1.7 cents a litre with an equal increase on 1 January 1992. There is a tax on so-called fuel-inefficient and luxury vehicles that has been doubled; it now ranges from \$200 to \$7,000 per vehicle

and has been increased in terms of the number of vehicles it would affect. The critical sectors and regions of this province are hurt by the gas tax increase and by the so-called gas guzzler tax increase.

We saw truckers who were protesting in the province of Ontario because they believe they are not competitive. One of the reasons they are uncompetitive is because of the projected increases in the gas taxes in this province and in the diesel taxes in this province. Of course, even our trains that carry goods and people across the province of Ontario will feel that particular consequence.

The volume tax on alcohol has been increased, cigarette and tobacco taxes have been increased, and I think there is a projection that auto insurance rates may rise in the future as a result of the imposition of yet another tax.

The consequences are obvious with regard to certain problems we face. Those of us who represent communities which are relatively near the American border recognize that the loss-leaders in terms of items people will go to get are alcoholic beverages, cigarettes and certainly gasoline, and that people while they are over there making those purchases are also going to look at other products they may purchase and bring back.

We are talking about the routine habits people develop. Just when people seem to be thinking about not crossing the border, they look and see what the federal government has done and now the provincial government has done in terms of discouraging that kind of thought and perhaps shopping in a patriotic manner, because of course this budget has driven those taxes higher and has driven those costs higher.

One I particularly would like to look at, and it is in rather a parochial sense, is the tax on auto workers. That is a tax which affects those of us who represent people in communities like St Catharines and Oshawa and Windsor and Oakville, and so many communities across the province of Ontario where we have motor vehicles produced and assembled or parts for those vehicles assembled.

Most of the people in my neighbourhood, as I have mentioned in this House before, are in fact employees of auto manufacturing plants, whether it is General Motors or Hayes-Dana or TRW or some of the plants that supply those particular industries. They have expressed great concern because they recognize two significant factors with the introduction of this tax. The first factor is that we are in the deepest recession since the 1930s and it is ill advised to double a tax at that particular time; and they recognize, perhaps in the long term more importantly, that the automotive industry faces unprecedented competition from the United States, which it has dealt with for many years, from Mexico, and from other parts of the world. Many who are affected by this wonder why the government would select this particular tax at this particular time, both in terms of the recession and in terms of the competition, and recognize that there is going to be a detrimental effect.

For those who do not represent those communities which have automotive industries, we recognize the tremendous spinoff effect of the automotive industry for the steel industry, for the plastics industry, and for other parts which go into the making of vehicles and the servicing of

those particular plants. We recognize how ill advised it was to introduce and extend this tax at this time.

It is said by the Treasurer that it was done for environmental reasons or energy efficiency reasons. We recognize that there is another way of doing it. In the midst of a boom economy, Ontarians may have been prepared to accept that, may have been prepared to say, "Well, we don't like taxes, but we are prepared to pay them at this time." However, in these present circumstances, if there were a real and genuine interest in achieving two things—that is, energy efficiency and better emissions from vehicles—the better way would be to introduce incentives for our automotive industry in order that people in our province and in other jurisdictions, but particularly in our province, would have the capability of purchasing new vehicles. If we removed virtually all the old vehicles from the roads of the province of Ontario, the air quality would improve immensely.

We recognize as well, those of us who had cars 15 years ago, that they got about 15 miles to the gallon in some cases and that today we can expect double that in terms of energy efficiency. So it is a bogus argument to advance this as an environmental consideration. In fact it is a tax grab, and I would certainly implore the Treasurer of this province to listen to two groups that have come together. Not often do you have labour and management on the same side on some issues. It happens from time to time.

In this particular case, both representatives of labour—in my own community it has been the bargaining unit of local 199 of the Canadian Auto Workers, and in other communities it has been the same—and the representatives of the auto making companies and the auto parts making companies have in fact suggested that we could have an alternative to this. They are not suggesting that the goals of energy efficiency are not enviable. They are not suggesting for one moment that we do not want better emission standards. But we can achieve that by the method I have described.

We have a budget in the province of Ontario that has done two major things. It has first of all increased the deficit and debt of this province to unprecedented levels, which will have tremendous consequences for the children who are growing up in our society today and will make us uncompetitive and undesirable to invest in. Looking at that investment, we are seeing people now making a conscious decision to leave the province of Ontario and go to other jurisdictions which they find more favourable for investment purposes.

Second, and in the long term perhaps of even greater consequence, we have people who say they simply will not invest in the province of Ontario as long as we have this budget in place and they are also looking, with some trepidation, at the rhetoric they are hearing from this government in terms of anti-business measures which they see coming forth.

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I wish we lived in a perfect society. I wish we could implement all kinds of legislation which in theory and in principle a lot of us think is good stuff. Unfortunately, we

live in a highly competitive world and a society which is not the postwar Canada we had before. As a result, as this resolutions calls for, we need a new look at the budget; good, honest, straightforward consultation with the people of this province, a wide cross-section of them; the development of a new budget and its implementation which even Don Cherry will like, because I noted on one of the hockey broadcasts that Mr Cherry said he was not in favour of this particular budget, that he thought it had some dire consequences. If Don Cherry says that, it surely must be so.

Mr Stockwell: The philosopher Santayana once noted that those who ignore history are doomed to repeat it. I will try to make a relationship between this budget by the provincial government and the federal government's previous budgets under Liberal governments.

In 1980, the federal government was spending approximately \$1.20 for every \$1 of revenue it received. The deficit that year was \$9.2 billion and the total debt represented about 29% of the gross domestic product. During the following recession, the government increased the deficit from \$14 billion to \$28 billion. It doubled, much like this government's. This spending trend continued to the point where upon the changeover in power in 1984 the deficit had reached a record \$38 billion. At this point in time—

Hon Mr Wildman: Under the Tories?

Mr Stockwell: No, that was in 1984.

At this point in time, for every revenue dollar the government received, it spent \$1.33. The most startling feature of this statistic is that by this time the recession had been over for more than two years. The federal debt, which was around \$80 billion in 1980, had blossomed to \$199 billion by 1984. The \$1.33 monster was alive and its appetite proved to be insatiable.

By 1991, after adding debt-financed annual deficits in excess of \$30 billion per year, the federal debt has now reached \$400 billion. Interest costs alone represent 35 cents for every revenue dollar. It is strange; back in 1980 interest was only 19 cents of every dollar. That seemed very reasonable at the time. The current level of debt represents 60% of the gross domestic product and the magic of compounding interest continues to mesmerize.

In 1984, the debt per capita was \$7,987 for every man, woman and child. In 1991, it was \$15,610 for every man, woman and child.

The problem that exposes itself here is that once a government commits to spending it becomes virtually impossible to cut back on newly established spending limits. This is not just a Canadian phenomenon. In 1984, the US federal government increased its level of spending to \$1.28 for every dollar of revenue, up from \$1.14 in 1980. The 1991-92 US budget shows a level of spending of \$1.29 for every dollar of revenue, an actual increase.

Remember that this is after two terms of Ronald Reagan, the man who consistently ran his platform on reducing the size of government. Per capita debt has increased during the same period from \$5,738 in 1984 to a projected \$10,870 per person. Only in Canada, you say, Mr Speaker? Hardly.

There is an argument that increased government spending—and I ask members to listen carefully—in early years will result in higher incomes in the future and these funds will be used to pay off initial deficits without any increase in general taxation. We hear that argument. The Treasurer has expounded it. Even some press reports have suggested it.

It is believed that this theory was first discovered buried under three acres of swamp land in Florida, and the land title was traced back to the Premier.

In 1984, Canadian government revenues represented 16% of GDP. The 1991-92 revenues represented 17.8% of the GDP. The difference constitutes an increase in the level of taxation. Kept at 16% the revenue to government would have risen proportionately with the general rise in national income. The increase to 17.8%, therefore, is very substantial.

Let's look at it in terms of actual dollars. The 1991-92 budget forecasts a GDP of \$678 billion for the nation. At the 1984 rate of taxation, government revenues would be \$108 billion—simply take the \$678 billion and multiply by the 16% tax rate. However, revenues for the 1991-92 budget are projected to be \$121 billion, an increase of some \$13 billion in additional taxes over those in place in 1984. This represents just one year. The same principles hold true for every preceding year. The cumulative total of additional taxation is absolutely staggering.

In the US, the level of government revenue as a percentage of GNP went from 18.1% in 1984 to a projected 19.4% in 1991-92. The bottom line to this kind of budgeting is that increased national income does not pay for deficit spending; increased taxation levels do.

After increasing taxes, imposing the GST, cutting Via Rail and the CBC, selling off crown corporations, the federal government still finds itself with an annual deficit of \$30 billion. Throw in the fact that between 1982 and 1988 the country experienced the longest period of income growth on record. Who would want to recreate this dilemma? The provincial NDP government and its \$10-billion deficit.

Mr Wildman: In other words you are attacking us for emulating the Tories.

Mr Stockwell: Exactly, the federal Tories. With one budget it has joined the league of the heavy-duty debtors. Here are some indicators—a 13.4% increase in provincial spending this year was all it took. The deficit per capita for Ontario is the highest of all provinces in the country and within roughly 10% of the federal deficit on a per-capita basis.

The point clearly being made is that we were charted down this path many years ago at the federal level. We were charted down this path in the late 1970s and early 1980s when the Liberal government was in power. Having said that, the assumption was that by increasing the deficit you increase national wealth, which will in fact pay off the increased cost to service your debt. I humbly suggest it does not work. You simply begin to double your debt. The NDP has entered into this kind of malaise of financial thought process. There is no process involved. It is simply spending today without any thought for the future. In fact,

for a government that constantly blames the federal government for all its economic woes, the NDP is going out of its way to emulate its enemies in Ottawa. It is acting just like them.

In 1991-92, the feds will spend \$1.25 for every revenue dollar they take in; the NDP will spend \$1.23. Is imitation the highest form of flattery? The NDP claims that the increased level of spending is needed to get the economy going and that the outflows at this time will be repaid through the increase in general income in the future. Hold on, this is starting to sound very familiar. As Yogi Berra would say, "It's déjà vu all over again."

The NDP has picked up a trick or two from the feds after boasting the deficit will be reduced to \$7.8 billion in 1994-95, less than a \$2-billion reduction over three years. Big deal. It is going to reduce the deficit by some \$2 billion over three years that it set up at \$10 billion in the initial year. Upon closer inspection, one discovers it is not a reduction in spending, but an increase in taxes that the NDP plan to employ to keep the deficit from getting out of control. After incorporating \$1 billion in new tax increases this year, the socialists have increased the level of taxation to 15.2% of the provincial GDP.

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After incorporating \$1 billion in new tax increases this year, the socialists have increased the level of taxation to 15.2% of the provincial GDP. In 1984, the level of provincial revenue was 14.1% and by 1994-95, the socialists plan to raise revenues up to 16.1% of the gross domestic product. In other words, just as the federal government has done, the NDP plans to increase revenues faster than the real growth in the GDP and inflation combined—very dangerous.

This means only one thing—new taxes. In fact, new taxes over the four-year period are estimated, using the government's own projections, to be over \$8 billion. Let's get this straight, \$8 billion in increased taxes reduces the deficit by \$2 billion. Is something not making sense? No, it is not.

Based on this ratio, if the government wanted to reduce the deficit of \$7.8 billion completely over the following four years without changing its spending trends, it would need to introduce \$32 billion of new taxes over that period—\$32 billion. This is starting to sound very scary.

The province is spending money it simply does not have, nor does it have any hope of recouping this money in the future.

The concept flies in the face of current budgetary strategies of the federal and provincial governments. Quebec recently announced a salary freeze for its 400,000 employees. Newfoundland recently brought down a budget aimed at reducing its projected \$200-million deficit to \$53.8 million. The budget freezes public service wages, medical funds and grants to school boards. Over 2,000 public servants are to be laid off and 500 vacant jobs will not be filled. No one said it was simple, but it is reality.

Nova Scotia has proposed a two-year wage freeze on public servants and limits on social spending increases to 2% annually. British Columbia balanced its 1991-92

budget and this year Alberta came up with a \$33-million surplus.

Ontario increased the wages to the public service by 6%, the highest rate, higher than the rate of inflation, and ended up with the highest deficit in its history.

Even if one looks at France, led by a socialist government, the NDP still appears to be in left field. Due to a sharp downturn in the French economy, much like Ontario's, the 1991-92 budget contains spending cuts of some C\$2.4 billion. In fact, President Mitterrand has continually restated his government's fiscal responsibility to provide a level of confidence among business groups which includes controlling government spending—a darned good socialist controlling government spending.

The philosophy of the NDP provincial government, while totally off the economic mark, is not without precedent. This type of Keynesian government spending in an effort to jump-start the economy harks back to Roosevelt's New Deal in 1930s America. As the Depression progressed in the US—and all over the world, for that matter—governments looked for methods of spurring economic growth. The Roosevelt government subscribed to the purchasing power thesis as the best method of getting the nation back on its feet. This theory, simply put, maintained that an inequitable distribution of purchasing power lay behind the Depression. The key to recovery was to increase mass purchasing power. Government projects, higher wages, higher social spending and redistribution of corporate profits would redistribute the income and augment purchasing power.

Armed with this theory, from 1933 to 1936, the US government continued to pump money into the economy. The erosion of the tax base forced the government to borrow these funds. During this period, economic activity did pick up and the country appeared to be finally out of an economic downturn. By 1937, the government had run out of money.

Interjections.

Mr Stockwell: Members should listen. If they are going to heckle they should listen to the rest.

It cut back its spending. The country soon went into a recession that lasted until 1939.

Mr Huget: What did the Conservative government in 1930 do in this country?

Mr Stockwell: I am going to answer that. The growth had been artificial. This was proven by the fact that as soon as the government stopped spending, the economy came to a halt. What is even more noteworthy, and I will note this for the member, is that in 1929 the Depression was worldwide. In 1937, the recession was strictly domestic, created solely by the government.

Interjections.

The Deputy Speaker: Order.

Mr Stockwell: You may not want to hear it, but those are the facts.

In retrospect, we can see the New Deal was unsuccessful because it failed to create the required confidence of the business community. Because of uncertainties with regard to the future state of government programs, the

prospect of higher taxes and regulations which reduced the hope of profit, a general lack of confidence was created among the business community, thus keeping money out of the private sector. In the end, this retarded genuine recovery. The recession would last until the events of the Second World War allowed the conversion of the US economy into a war economy. What war is the NDP hoping for?

We do not have to go back to the 1930s to learn from history. The feds in both Canada and the United States are fighting their own wars on government deficits and they are losing. Increasing government spending is somewhat like beginning a heroin addiction—pretty soon there is no such thing as moderation.

While the NDP claims it is the victim of high interest rates and high Canadian dollars, consider the following. As deficits are incurred, money must be borrowed to finance them. The money is generally raised in capital markets in the form of government securities. As governments raise more and more debt, they overcrowd the bond market. The resulting oversupply of debt instruments pushes prices down, and that results in higher interest rates. No one will argue that.

Now consider the fact that a large percentage of our government debt is purchased by foreign sources, which could just as easily invest their money in the United States or Europe.

Interjections.

The Deputy Speaker: Order, order.

Mr Stockwell: In order to continually attract the capital, Canada must offer interest rates that are high enough to compete with other nations. As external debt increases, our levels of interest rates also increase—common knowledge. Not just prime rates, but perhaps more important, 20- or 30-year interest rates.

The problem is that in this regard we do not have a choice. There is not enough domestic money available to finance this debt—there is not enough. In 1991, foreign debt costs reached 4% of the GDP, up from 2% in 1975. This is in the area of \$27 billion.

As we increase the level of government debt, we further reduce our ability to independently control interest rates, despite the NDP's claim that the federal government controls the interest rates alone. Increasing the amount of debt, as the NDP is now doing, will only serve to keep interest rates higher than they should be. Through the excessive debt-financed spending, the socialists have only contributed to the problem they complain about most.

Of the major industrialized countries, Japan has the least reliance on foreign debt. Is it any coincidence that in Japan they also have one of the world's lowest interest rates?

The value of the Canadian dollar also comes into the fold of this process. As foreigners buy our debt, they do so in Canadian dollars. Therefore, as the country continues to require foreign inflows of cash to finance its deficits, the purchases of Canadian dollars increases. This pushes up the price of the Canadian dollar. Again, by incurring high

levels of debt-financed deficits, the NDP is exacerbating the other issue it complains about most.

Besides, the key to prosperity for any country is long-term productivity.

Interjection.

Mr Stockwell: Maybe the member should leave, since he probably does not understand most of it anyway.

Those who think that prosperity can be achieved by lowering our dollar must also place countries like Brazil—and this is the suggestion that came from the other party—at the pinnacle of economic achievement since it devalues its currency almost hourly. Quick fixes such as devaluation only temporarily mask inequalities and inefficiencies, which in the end only come back to force a readjustment in the currency.

As long as Canada—and Ontario—continues to be a heavy debtor, it will never be able to control its own destiny. Just as we are seeing in the debacle of junk bond financing, in the end it is the creditors, not the shareholders, that end up calling the tune. Financing your debt is a very expensive model. You end up paying for it now, and your children, in turn, end up paying for it.

This is potentially the worst possible scenario the people in this province could have seen. It is the worst possible budget, with an ill-conceived, half-baked economic program.

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Interjections.

Mr Stockwell: They shout out things that I do not think they truly understand. They are wound up in caucus and they are told to spew these lines. They are not certain of the lines, they are not certain of the knowledge and they are not certain of the logic.

The government is on a very painful road, painful for the people of the province of Ontario and painful for those who operate within this province. It is taking a very disastrous effect today and in future years.

Any of those members who would choose to stand up and defend this budget on a public platform, I will be happy to debate—on a public platform, in a public place, with the public having full access to question the government's initiatives. Any defence of a tripling of the deficit and a doubling of the debt is laughable.

We have lost our credit rating, we are losing our manufacturing, we are losing our shoppers across the border. We are not creating wealth. This NDP government is merely adding fuel to the fire. But in the end I do not really blame them; because it is difficult to blame someone who does not understand.

Mr Christopherson: We are very pleased that finally we get a chance, after four weeks, to actually debate the budget and talk about the measures that are contained in the budget and talk about the why of the budget. When the previous speaker talks about not knowing what one is talking about, instead of keeping his nose buried in economic history books, he ought to just emerge outside and go talk to some of the people in this province who are hurting, who are looking to this government to help them get

through this recession, which, by the way, was created by his cousins in Ottawa.

This budget deals with the people's issues. It talks about health care, it talks about education. We deal with housing, we deal with pay equity, we deal with the issue of family violence, with sexual assaults. Those are the issues facing the people of this province. On 6 September people said they needed these issues to be addressed.

Interjections.

Mr Christopherson: The heckling I am hearing just substantiates this budget all the more and why we took the actions we did. Members opposite cannot continue to bury their heads in the sand when we look at the kind of social problems that are around us in this province. This government has an obligation to meet those needs head on, and I feel very comfortable in defending this budget because I believe it does deal with those issues head on. It does not use a Tory copout to tell people: "We can't deal with anything that's going on. We have a recession. Therefore, we're going to turn our backs on you and you're going to have to suffer through the very best you can." That is unacceptable to New Democrats; it is unacceptable to this government.

Let's spend a second talking about the deficit, since that seems to be the only thing the opposition parties are interested in talking about—not people, not people's needs, not how we are going to address those needs, but the deficit. Fine. Let's talk about the deficit.

As was noted, the federal deficit right now takes 34 cents of every revenue dollar. This budget takes 12 cents of every revenue dollar, which, by the way, is no more than Liberals and Tories were paying at times during their leadership and their time at watch. If the opposition members would take the time to read the budget and take a look at what is expressed there—

Interjections.

The Deputy Speaker: Order, order.

Mr Christopherson: —they would find that the deficit will fall from 3.4% of gross domestic product to 2.2%. Those kinds of fiscally responsible figures show that this government knows exactly what it is doing, and we stand behind the measures we have taken in this budget. I would again emphasize the fact that we are not prepared to turn our backs on the people. We are going to move on the areas that are important.

Let's look at another factor: \$8.2 billion of the \$9.7 billion would have been there regardless of which party was here if we wanted to just maintain the services we currently provide. The largest chunk of that comes because of increased social service costs, which are the result of the made-in-Canada Tory recession. It is a result of the federal cutbacks, where we have had successive federal governments that have decided to offload on to the provinces, consistently capping the money that is transferred to provinces for social assistance.

When we came into office, we said that one of our priorities was our funding transfer partners at the municipal level. The Treasurer announced transfer payments in an amount averaging about 8%. That goes a long way to

meeting the commitment we made to renew the partnership with those transfer partners.

Let's take a look at what happened in the last few years of the previous government when we look at school taxes, municipal board—and my honourable colleague across the way knows, because his background is similar to mine. In fact, one of the things that brought me into the election last year was what was happening to municipalities consistently.

We made a commitment there and we have gone a long way to meeting that commitment. But it is going to cost money, and just passing the buck down to municipalities and just passing the buck down to local school boards is not meeting that commitment. It may look good when the Treasurer stands up and makes a speech about their budget, but the level of government that is closest to the people, where the real quality of life is determined, is hurting and it is hurting badly.

I feel good that we stood beside those partners and we did everything we could in this budget. That is only the beginning. We are going to continue to work with those municipal partners and those other transfer partners to ensure that they get a fair shake. If that means we have to stand up and take some heat because of the kind of budget we have to bring down, so be it. If those kinds of taxes have to be raised, then they ought to be raised through the provincial governments, through the federal governments as much as possible, where you have more progressive, more fair levers of taxation. You do not have that luxury at the local level. I hope to see that we will continue to maintain that as a cornerstone of our economic planning for the future.

A couple of weeks ago I and my colleagues from Hamilton-Wentworth had a chance to meet with a number of community groups. It was about the third or fourth session we have had. We call it the Hamilton Agenda and we invite groups to come in and talk to us about the issues that are important to them. A lot of it is funding, but a lot of it has to do with the policies they would like to see us initiate or change or, in some cases, maintain.

When you are sitting there talking to the Alzheimer Society, your local Alzheimer group, the Victorian Order of Nurses, the Canadian Red Cross Society, when those groups come in and you do not have all the fanfare of this place and you are back in your community and you are dealing across the table, listening to your fellow citizens in your community—and in many cases these organizations are being maintained through a lot of volunteer work. Those organizations are on such tight budgets that it is all they can do to meet the growing demands and needs that are placed on them. Those are the kinds of organizations and the kinds of services we committed ourselves to when we ran in the last election. We said to ourselves, in spite of the Tory made-in-Canada recession, we would do everything we could to have a made-in-Ontario solution. I believe this budget goes a long, long way towards achieving that.

The honourable member for Etobicoke West asked for people from this party, the government party, to stand up and defend this budget. I can tell you, Mr Speaker, I had to beat off our own caucus members in terms of a speakers'

list because they want to stand up and talk to this budget and talk to the commitments that we meet inside this budget. To give them a chance, I will shorten my usually lengthy words and offer them a chance to express their concerns. But I stand here very proud of the fact that we are fighting the recession and that we are not turning our backs on the people of Ontario at a time when they need us the most.

1630

Mr Sola: To respond to this budget properly, I must work backwards, just like the NDP. On page 20 of the report, the Treasurer expounds on the principles upon which this budget is based, and he repeats the theme on page 14, "This government is convinced that the only way we will achieve effective fiscal management is...with the participation of the people who use services and the people who provide them."

What is left out in these statements? Why, those who pay the shot—the taxpayers. According to the Treasurer's own words, this budget is based on everyone's concerns except those who should count the most—the taxpayers.

Let's look at the deficit. What we have is not a \$10-billion deficit, astronomical by itself, but one of \$35 billion if the Treasurer's four-year projections are on target. If not, I shudder at the thought.

To put this into perspective, according to a Toronto Star report, the Ontario deficit is almost double that of the other nine provinces combined—\$10 billion compared to \$5.5 billion. Put another way, the Ontario deficit is almost equal to the size of the entire Alberta budget. The Ontario deficit is equal to the combined budgets of Manitoba and Saskatchewan. The Ontario deficit is almost equivalent to the total budgets of the maritime provinces: Newfoundland, Prince Edward Island, New Brunswick and Nova Scotia.

According to a Globe and Mail report, the budget is based on this maxim from Karl Marx, "From each according to his abilities, to each according to his needs."

Let's analyse this. The abilities of the Ontario economy, according to the NDP, are \$43 billion, or the total revenue of the province. The needs of the Ontario public, according to the NDP, equal \$53 billion, or the total expenditure of the province. Therefore, the total needs outweigh total abilities by \$10 billion, or 20% of the budget. Something is wrong with this equation. It is totally out of whack. It will double the provincial debt in four years and bury the futures of our children in a mountain of debt.

What are the role models for this budget? East Germany, Czechoslovakia, Poland, Hungary, Yugoslavia and the USSR. What do they have in common? Well, perpetual huge deficit financing, bankrupt economies, and socialist or communist governments that destroyed these countries. Is that what lies in store for Ontario? It cannot happen here? Let's look at the case of East Germany and Czechoslovakia.

They were the hub of the European industrial economy, the envy of the world, before the communist takeover. They were productive, efficient and booming, just like the Ontario economy before the NDP. If socialism

could destroy their initiative, their drive, their energy, their work ethic, it can destroy anybody's, including ours.

Most disappointing is the Premier's attitude. Having been with him in Lithuania monitoring its first democratic elections, I am appalled that he has not learned the lesson of adhering to this outdated dogma. If he carries on in this manner, he should have brought back a few bricks from the dismantled Berlin Wall. He may need to rebuild it to prevent people, jobs and industry from fleeing south for good. This has occurred in the countries the NDP is emulating.

The rosy projections on economic growth by Pink Floyd are nothing but a red herring. His prediction of an average growth in the economy of 3.7% for four years running is based on this ominous fact: permanent jobs are disappearing and are being replaced by temporary jobs. Compare this to the Liberal record over the last five years: an average predicted rate of growth of 3.2% and an average achieved rate of growth of 4%. Does he really believe that our economy can outperform with temporary jobs the unparalleled growth based on permanent jobs during the Liberal years?

The Treasurer has been called the Lone Ranger by Gord Wilson, head of the Ontario Federation of Labour. Perhaps he has changed his mind, like Bob White of the CAW. Perhaps he would agree to a slight change in name, to Lone Arranger, because he will have to arrange at least \$35 billion in the next five years.

In conclusion, I would like to quote a Toronto Sun editorial: "The NDP has simply found a new way of spending our money without finding any new way of generating wealth. Get used to it, folks. That's what the NDP is all about."

Now, I will conclude with this sentence: Let's give Floyd and the sea of red ink the pink slip.

Mrs Cunningham: It is with interest that I rise in the House this afternoon and speak to the Liberal opposition motion on the budget.

A little over three years ago, I let my name stand in a candidacy in London North in a by-election. One of the reasons I ran at that point in time was that I thought elected representatives did not in fact represent, well and with responsibility and with a feeling that they really wanted to make a difference, the public that they served. In doing so, I was very much concerned about the future of our country, of our province, and the ability of young people in Ontario and in Canada to have an opportunity to participate in the economy and the workforce of this terrific country that we live in.

I was concerned at that point in time because I learned, rather by accident, that in fact we had a deficit and that we had a debt. Even in the position of educated people and people who are interested in what is going on—I am certain some of the New Democratic Party members this afternoon will admit that they have learned so much after having been elected to this Legislative Assembly, but I learned as a school board trustee and as a parent that we were moving in the wrong direction in Ontario with regard to managing our financial situation, and so it is with a little bit of confusion that I look at this budget.

Perhaps the Liberal members in the House today have learned their lesson after the last election, because I thought they themselves in fact had not been particularly responsible. I can remember making a number of speeches over the three years that I was here before this last election, talking about our future prosperity and our ability to successfully manage and exploit the opportunities of the next decade in Ontario. I mentioned, many times that this depended on a constructive and positive partnership between the public and the private sector of our province. Regrettably, in the last three years I mentioned many, many times that I did not feel the partnership existed, because the Liberal government did not appear to appreciate the difference between constructive participation and destructive interference in its dealing with the private sector, not only in the way it managed our finances but in a lot of the legislation that was brought forth.

I talked about taxation and I talked about budget, and I talked about the fact that since 1985 that particular Liberal administration imposed no fewer than 32 tax and levy increases on Ontario consumers and businesses, and that every major tax had been increased at least once and new taxes had been created. Consequently, I have to say that the tax revenues collected by the province since 1985 had increased by over 100%.

I could go on, but only to say, as all members of this Legislative Assembly know, that if indeed we are going to collect these kinds of dollars, if indeed we are going to put our province in a deficit position, and if indeed we are going to put our future taxpayers and our young people in a position where we expect them to pay up for debts totalling billions of dollars, then I think that at the same time we have to be extremely responsible in the way we manage in this House and throughout the government offices of this province.

1640

I am not one bit convinced that any of us, no matter what government, have got the political courage to do just that, and that is manage. There is tremendous waste in government. I certainly, and colleagues of mine from all three parties over the last few years, have mentioned them, have pointed them out in our other lives—in our business lives, in our lives as parents, as taxpayers, in my particular responsibilities as a school board trustee and, more recently, in my role as critic for Community and Social Services, Skills Development, Education and Colleges and Universities.

I do not think I have a right to be here without providing solutions to problems. That has always been my intent and my effort. Today I am absolutely appalled and tremendously disappointed at this particular government and the budget it has just brought before our House. In representing the taxpayers, I will also say that I am tremendously disappointed on their behalf, because they advise us, as we move about our constituencies, both in our critic portfolios and as individual representatives, that they have lost confidence in anybody's ability to govern. They have certainly lost confidence in this government.

This government has not been here for a very long period of time. I am most disappointed to stand here today

with new colleagues of mine and to say to it that I absolutely abhor the way in which they accept the criticism we present to them in our role as opposition members. They sit there and think it is a joke. It is not a joke.

I will say one more thing. The member for Hamilton Centre stood up and one of his first statements was what he was going to do about health care and what he was going to do about education and how this budget addressed both of those issues. I believe I am right when I say that. That was one of the opening statements. I am the critic of Education. Education was not even mentioned in the budget. I think it is imperative that as we go about this province doing our work, we tell the truth and we get on with describing to the public our challenges, whether we be in government or whether we be in opposition.

I will say that the headline in the Toronto Star the day after the budget was introduced said, "Education, Health Care Big Losers in Budget." They go on to say that the "first budget fell short of campaign promises but delivered aid to abused women, workers, aboriginal people and low-income families." That is great, but they did say that, "Education and health care are among the big losers, while promises of more spending for housing and social assistance have been scaled down."

When we go about our business in political campaigns, we make certain promises. I am very much aware of the promises the government made for education. It is true. The fact of the matter is that the government promised 60% funding by this province for local school boards. They did not begin to meet that promise, nor do they have it in their long-term plan. That is what I am talking about. If they are going to go about making promises, then they should stand up and say, "We can't meet them this year, but perhaps down the road"—let them do anything, but if they make the promises, they should keep them.

I would like to read three letters today. I have a lot of letters from constituents from my riding. I ask all of them, as I receive them, to send these letters on to the government, because I think it is important that government members see what the public is saying. All of us had a week where we were expected to take a bit of a break. I spent all of my time in my constituency and in the constituency of southwest Ontario.

Mr Nixon: You went to Grand Bend, did you?

Mrs Cunningham: I did not get to Grand Bend, but I had wanted to get to Grand Bend. It was not one of those things that was on my agenda.

I was well received, because I think the public of Ontario has so little hope.

I will say that one of the first letters that struck me was from Mr Slemko, who lives at Whiteacres Drive in London. He wrote to the Premier:

"I am writing to you at this time to express my concerns about the future of Canada and particularly the province of Ontario. I am a chartered accountant and an entrepreneurial businessman. I have been involved in small and medium-sized businesses both as an adviser and as an owner for the past 15 years. I have never before written or felt the need to write directly to the Premier as I

have always had a strong hope of confidence in the province of Ontario."

In spite of my criticism of the former government, I never thought for one minute that we would be facing what we are facing now. That was a piece of cake compared to what we have got now.

"As I see what has happened and what is going to happen to this province after only six months of your government, I felt I had to write and express my views."

He talks about the legislation, and I could go on to Bill 17 and Bill 70 and all the other pieces of legislation that deter business investment in our province and cause us to lose jobs and confidence. He ends by saying:

"I would like to see Ontario continue to prosper and grow, but I am concerned. I do not see any indication that you or your government have an understanding of the issues that face this province in the next 10 years...."

"You have introduced a budget which, although socially attractive, is fiscally irresponsible in today's economic environment. Other provinces are cutting back and trying to maintain some semblance of financial responsibility."

Rod Helm from Fiddlers Green is also one of my constituents. I invite the government to read its letters of support for the budget, even one. I would love to hear a letter of support for the budget from the government members today.

"Dear Ms Cunningham:

"As a young working person I awaited the first NDP government budget with a great deal of trepidation. Unfortunately, my worst fears were realized when I heard of the astronomical deficit projected by Floyd Laughren.

"As my member of Parliament, I urge you to object to this fiscal lunacy in the strongest possible manner. I will be paying for this deferred taxation all of my working life, and do not relish the thought. The fundamental problems facing this province have been ignored. Instead, the government has decided to proceed with a spending frenzy unmatched in Canadian history.

"Please do your utmost to persuade the government that common sense must prevail. We cannot afford the level of government services we now have, let alone any attempt to 'enhance' them. You have my strongest possible support in your efforts to raise objections to the present government's new disaster plan"—NDP, new disaster plan.

Here is another one, from Charlene Foster. This is obviously a mom. She says:

"I would like to express my concern over your budget. I am not well to do. In fact, I recently discovered those on mother's allowance are better off financially than I.

"Our wage increases over the last three years have been below the cost of living." She goes on to say, and I think these are the key words, "My children are angry and critical of the mess we 'adults' are making."

Mr Bisson: Why don't you go live on mothers' allowance and find out if that's true.

Mrs Cunningham: Madam Speaker, I am absolutely fed up with the comments coming from across the floor. Every once in a while the member for Cochrane South

assumes that members on this side of the House have not lived on mother's allowance, do not know what is going on in the world, have never done anything to contribute to our communities. We come well informed and it is in our heart to make things better, so he should not talk to me about living on mother's allowance.

I worked with women on mother's allowance for 10 years of my life and I know how difficult it is. I will tell him what is wrong with mother's allowance. Does he know what is wrong? They do not need more money. They need the people whom he and I hire to do the work to do just that, do the work, support them, work through jobs, get them work to do, provide them support with their babies, give them child care when they need it.

Has the government looked at the waiting list for child care right now? What are they doing with the money they collect? Have they looked at the schools that they need for kids? Are they building new schools? I can hardly wait to see that one.

No, the member should not talk to me about waiting lists for hospitals: We are closing beds in London. With all this money, we are closing beds in London right now. Can members believe it? Do they know where those people are going? South of the border. Not just the patients are going, but the doctors whom we have trained to work here.

I have spoken long enough. I will end up with this letter:

"I am writing because I share your dislike for the recent Ontario budget. I'm 14 years old and I feel that the NDP government is putting a mortgage on my future just to get us out of a recession that will be over soon anyway. I don't agree that throwing money around will save us. I know a little about economics so you can't fool me."

This kid is 14. Are members listening?

"I'm sad that it had to come to stalling government business just to get them to listen." Well, it worked. "The NDP pride themselves as being a people's party. Well, the people of tomorrow are speaking. We don't want to be left with an enormous debt to pay off. It's your son, Bob Rae's daughters and all the other children and young people that will have to pay this debt off.

"The NDP say that they want the best environment for their children to grow up in and pass on to their children. Does this include economic environment? Yes, we have to help those in need, no one can argue with that. There are better ways than this. Please try to get them to listen. It's our future that hangs in the balance."

This is from a young girl, Sarah Fadge.

1650

Mr Mills: I am at a little disadvantage. When you are on a committee and you have to pop in here, you do not know what the other people have said. I am at risk of repeating, but I am going to cut my remarks very short.

I would like to talk about the deficit first of all. I do not think there is anyone in this House who is more careful with a dollar than I am. I have got suits in my closet that I came to Canada with in the hope that I would get smaller, that they would fit me one day. That is how careful I am.

Now to get on to a serious subject, I do not like the deficit at all, but nevertheless I have examined it and I have thought of all the things that this budget does to so many people, and I really have come to say to myself that we really did not have too many alternatives in this.

Last week I had a clinic set up with my constituents in Port Perry for Thursday night and I had to go down suddenly to the member from London's riding to speak to the Monarchist League of Canada. Those folks there were very upset about the budget. I listened to them politely and then I had to reschedule my constituent clinic to Saturday night. I did this from 4 o'clock until 9 o'clock and we arranged for all the people to come in again.

One gentleman came in, and he was just absolutely fuming with contempt for the budget. He said, "You know, the first thing that you folks should do is that you should cut"—

Interjection.

Mr Mills: Pay attention.

"You should cut the pay of the civil servants by 25%." I said to this fellow, "Were you drinking before you came here?" He said, "No." I could not believe what I was hearing.

Later on in the evening, another fellow came in and stap me if he did not say the same thing. He said: "You know, you can cure the deficit. You can cut the civil servants' pay." I said, "How much?" and he said, "Twenty per cent." I said, "Why are we doing this?" He said: "Well, they've got regular employment. They get three meals a day. They've got good jobs. They're all secure. They get pensions; they get indexed pensions." I said, "Just a minute. This is civil servants. I was a civil servant, and I look back to"—

Mrs Cunningham: You're a civil servant now.

Mr Mills: I mean I was a professional civil servant, and I served as a civil servant under the Bill Davis government. As a civil servant, and as a member of OPSEU, Local 340, we were subjected to the pay freeze of the Tories when the Davis government was in power, and I can tell you, Madam Speaker, that we were very angry about that, because the Tories decided that they would carry their 1981 deficit on the backs of the defenceless civil servants. At the time, I was earning about \$300 a week and we had a job to make ends meet. We did not get a rise because Bill Davis, in his wisdom, decided that he would fight the recession on the backs of the civil servants. When the Liberal government got elected, we thought things were going to get better, but they did not get any better. We still had to fight every inch of our way for our pay increases.

So I stand here today to speak on one issue, for the civil servants. I am very grateful to the government and to the Treasurer that looked after all the civil servants who are my friends, who live in my constituency, that this government decided it would not fight the recession on the backs of civil servants and it would not fight the recession on the backs of the people who can ill afford it.

Mrs Y. O'Neill: I rise with considerable disappointment in this government. A first budget is an important symbolic event for a new government. It provides a clean

slate upon which to write fiscal policies which conform to promises which were made nearly nine months ago to the people of Ontario who elected this government.

The most pressing aspect of budget 1991 which is on the minds of Ontarians is the disastrous and counterproductive deficit of \$10 billion that this budget presents. In fact, 11.6 cents of every tax dollar paid by every Ontarian will go towards servicing this massive debt.

I want to remind this House again today that this is the largest deficit in Ontario's history. This is not a very proud beginning. Many in this province say it is indeed irresponsible and regressive.

To be sure, an increase in the deficit was expected, and in fact, creatively planned, could have met the need to provide present relief to those most severely hurt by this present recession. But the mammoth size of this deficit, an increase of over 300%, coupled with this government's projections of four further years of the same, are but delayed and deferred tax collection, mortgaging of our future, and will be eliminated by substantial—and only by substantial—built-in taxation increases in the future for ourselves and for our children.

I predict that Ontario cannot hope for a balanced budget for the remainder of this century. I make this statement with deep regret, but with confidence, despite the recent overoptimistic predictions of the Minister of Industry, Trade and Technology and the Treasurer.

This budget has decimated Ontario's triple A credit rating. This has traditionally given Ontario the enviable advantage of borrowing money at the lowest possible interest rates of any provincial government in Canada. Regretfully, we learned last week that both the Canadian and international rating companies have downgraded Ontario's credit rating.

Mr Bisson: What do you mean—

Mrs Y. O'Neill: The member for Cochrane South is certainly very difficult to speak over.

We learned last week that both Canadian and international rating companies have downgraded Ontario's credit rating and now our credit rating in this province trails both Alberta and British Columbia. We now face the reality of higher interest rates on our provincial deficit, according to such reliable observers of our economy as the Canadian Manufacturers' Association, the Canadian Federation of Independent Business and the Ontario Chamber of Commerce. Members of the Dominion Bond Rating Service have stated: "Evidence suggests that Ontario's future revenue base has eroded. The province's economy has weakened permanently." This is a frightening forecast for Ontario as we work our way, or should I say not work our way, into the 21st century.

This permanent weakening especially affects Ontario's manufacturing and service sectors, and this budget does little to strengthen either. We need only look at the most recent bankruptcy figures to see the trend which is already developing. In March of this year, 24 Ontario manufacturers went bankrupt. In fact, in the same month Ontario registered 78% more bankruptcies than in March 1990. In the trucking industry alone there were 655 bankruptcies

last year, an increase of 74% over the previous year. No wonder we have highway blockades.

1700

This first NDP budget is destroying trust in Ontario's economy within both the Canadian and international economic communities, economic communities upon which this province depends for investment. As we all know, these investments have been the traditional important foundations for job creation in Ontario.

Instead of coming up with solutions to the grave economic problems which face Ontario today, the Bob Rae and Floyd Laughren solution is to point fingers. Day after day we are told to blame high interest rates or the GST or to blame free trade. In fact, blame is apportioned much more generously in this budget than incentives to either individuals or corporations.

We were promised a plan, yet the tables in budget 1991 are now described as models, and models which are often based on very little data, examination of programs or impact studies. Ontario business leaders are using words like "disastrous," "fiscally irresponsible," "hocus-pocus," "dangerous," and "an incredible leap of faith" to describe this government's first budget.

I close by quoting the editorial cartoon which appeared in the Ottawa Citizen on 1 May 1991, showing Dr Bob Rae treating a hospital patient named Ontario and saying: "The bad news is my treatment is risky, intrusive, expensive and will give you only mild, temporary relief. The good news is your kids will pick up the tab."

Mr Turnbull: The greatest problem I have with this budget is the question of projected tripling of our debt in just four years. To put this in perspective, when the Conservatives lost office in 1985, there was approximately \$26 billion in debt that had been amassed since Confederation. In the next five years, during the best five years this province has experienced in the last 50, the Liberals added another \$10 billion. Now we are told that this debt of approximately \$36 billion is in just four years going to be doubled to \$70 billion.

Interjections.

Mr Turnbull: This is something which is very easy for people across the floor to heckle about and think that this is some sort of joke. No doubt they find the comments that were made last week in New York to the Treasurer something to laugh about. But I can tell members the people of Ontario are not laughing and the people of the economic community of the world are not laughing. It is a very serious problem. We know that when we look at the competitiveness of Canada—

Interjection.

The Acting Speaker (Mrs Haslam): The member for Downsview will not join in debate unless he is recognized. Please refrain from heckling.

Mr Turnbull: I would trust that you will add to the clock the time that the member for Downsview has just taken.

The whole question of our competitiveness in Ontario is brought into question. I would like to quote from a

report by the Bank of Nova Scotia on the Ontario budget. It says:

"Ontario's reliance on excise tax increases as a source of revenue is very similar to actions taken by Ottawa and other provinces. These measures frustrate the Bank of Canada's ability to lower inflation and its willingness to reduce domestic interest rates. At the same time, Ontario's fiscal strategy contrasts sharply with deficit containment measures imposed in other jurisdictions. This may add to borrowing costs by tempering international investor enthusiasm for Ontario debt."

I quote further:

"These initiatives will not offset the pervasive loss in competitiveness stemming from unfavourable exchange rate, interest rate, wage and tax trends. The decision to rely heavily on deficit finance eventually will add to competitiveness problems by siphoning resources needed to finance productivity improvements into debt service. Ontario households now owe the equivalent of \$10,000 in provincial debt and a further \$41,000 because of chronic federal overspending. The cost of servicing this huge and growing liability will act as a drag on the economy through much of the 1990s."

Given the fact that this government is supposed to be the government that represents unions and workers, I would suggest that it is attacking its very base by driving jobs out of this province. I sat last week with a group of five people and we discussed how alarming it was how many people we knew had been discussing seriously leaving Canada.

Mr Perruzza: Did you support free trade?

Mr Turnbull: The member who is heckling me at the moment asked if I supported free trade, and absolutely, I did. In fact, we cannot get away from the reality that unless we have free trade and unless we have a competitive environment, we will have a decreasing standard of living and the social goals that the socialist government espouses cannot be met unless we have the funds to be able to pay for them.

There is this myth that there is this glob of evil business people out there who somehow are not paying their fair share of taxes. The reality is that Ontario is already the most heavily taxed administration in North America. The Liberals gave us that gift. They took us from having a 10% advantage over Quebec just six years ago to now being the most heavily taxed administration in all of North America, which bodes well for the future.

We absolutely are asking companies to leave Ontario and they are doing it. They are voting with their feet. If the socialist government thinks it can achieve its goal by piling on debt, it is wrong. I would say this to all parties, be they Conservative, Liberal or Socialist. We must get on the tracks fiscally and look at the examples of the well-managed economies of the world: Look at Germany and look at Japan and look at the example they set in terms of living within their means.

Essentially that goes to the heart of it. If we as a society—I am not talking about 23% of the eligible voters who happened to vote for the socialists in the last election,

which miraculously gave them a majority, but I am saying if a majority of people in Ontario say, "Yes, socially this is what we want to do," fine, whatever the program is if it is democratically arrived at, but let us be prepared to fund it out of current taxes. Do not build up debt and ask our children, be they socialist children or Conservative children or Liberal children, to pay for the excesses that we have today. We must live within our means.

1710

Mr Ferguson: It sounds like the member for York Mills wants us to vote on every issue that comes before this House and vote on every program that we might implement. I would like to suggest that in fact he will probably be running for the Reform Party in 1994-95 and be liking it very much.

I always felt that perhaps one of the best occupations in this country would be that of an editorial writer for a newspaper, because editorial commentators are nameless, faceless individuals who have their column appear in a newspaper and they are never wrong. Their comments are supposedly food for thought, but the key in that position is that they are never, ever wrong.

I think there is a parallel between the editorial writers of these newspapers across the country and members of the opposition, because the opposition members are never wrong. Depending on what the government of the day decides to do, the opposition members take an opposite stance, of course. They do nothing wrong. They make suggestions and changes daily.

I have found it very tiring listening in this House to questions from members opposite who have pounded this government on a daily basis, suggesting that we have not done enough to assist those in a recession who need help the most and that we have not done enough to assist those who have found themselves out of work as a result of the free trade agreement or high interest rate policy or any number of external influences that happen and that take place which create that cause and effect in Ontario, and then the very next day they stand up and criticize the government for spending money. Essentially, they say there are a number of ills and woes here in the province and that they want us to solve all the problems of the day, "But for goodness' sake don't spend any money."

Any fairminded individual looking at this budget would say there are probably some things in it that he or she likes or likes a lot, some things that the person does not like as much but could live with and some things that he or she disagrees with entirely. I think a fairminded individual would take that approach. A fairminded individual would recognize that no matter what happens, there is a cause and effect relationship, that the government's plan to stop the haemorrhaging that has been created at the national level requires some dollars to be injected into the economic life of Ontario.

I think our response in this budget has been very clear, and while we are concerned about the deficit, it is not our only concern. While we think the deficit is an issue, we recognize it is not the only issue. While we are going to

focus our attention on the deficit over the long term, it is not the only focus this government has to take.

I think we will recognize that the statement made by Al Libfeld, the president of the Ontario Home Builders' Association who, most will recognize, is not exactly a card-carrying member of the New Democratic Party, was that he felt the budget was going to help. That is an impartial view.

We want to provide the economic stimulus to maintain and create 70,000 jobs. We have to look at what a \$1-billion debt means, because I think most of us have a little bit of difficulty relating to \$1 billion, let alone \$9.7 billion.

In 1984-85, when the Conservative Party was the government of the day, 12.4 cents out of every revenue dollar went to pay the debt. In 1985-86, the first year of the former Treasurer's budget from the Liberal Party, 11.6 cents out of every revenue dollar went to pay the debt. With this proposed deficit that is going to assist those in Ontario who need help the most, 12.3 cents out of every revenue dollar will go to service the debt. In fact, we are doing marginally better in 1991-92 than we did in 1984-85 when the Conservatives, who have been the loudest critics of this deficit, had the reins of power and when they had control of the piggybank.

This budget is going to prepare the people of Ontario for recovery. It encompasses within it sustainable prosperity as its central goal and fairness as its guiding principle.

Mr Curling: I want to thank my colleague the member for St Catharines for giving me the opportunity to speak on this opposition day motion.

I think it is giving the government of the day an opportunity to rewrite the budget. They should just listen for two minutes or so. Some wisdom may come out of a little bit of what I say and maybe what my colleagues have said for them to redraft that awful, vicious, terrible budget that was presented here.

I bring to this House my personal experience. I am quite sure my personal experience is not very different from that of millions of people in this province, that when times are tough, if we have no money or things are tight, what we do in any family is to cut the fat. We look around and see if there is any excessive spending within the family and we cut back a bit. In any family we look around and tighten the belt, because we realize we do not have the type of money to go around. After we have done that and if we are still finding that funds are short, we make sure that those who need help are looked after. But we know it is not only today we must invest in by making sure that those are fed; we look forward to getting them out to work later on and we send people out to work and to train them for tomorrow.

What has this government's budget done? I can tell members that my party here is not scared at all about a deficit, because we understand that the times in this recession are very difficult. The entire world is suffering in many respects in the recession. But we would have invested in people, one of our most important resources. Did members know there was not one mention of training in this budget? I am speaking of people, giving them the resources so they can produce later on. I think they should

be totally ashamed of the fact that they have avoided looking at our most important resources.

In this short time I just want to highlight some things quickly. Do members know that in any type of recession like this and in other countries, some of the people who suffer most are those who are last to be hired and first to be fired? These people are losing their jobs daily—women, visible minorities, those who have actually been discriminated against all along and they need that kind of protection.

The bankruptcy rates are at the highest level ever. What has this government done since it has been in power with this whopping deficit that it brought forward, money in its hands? First they have to use that deficit to pay a higher bank rate without understanding at all—they said they do not care about a triple A rating. Did they listen to many of the people in or outside of this country? People like the New York businessmen who invest here told the Treasurer that they are burying their heads like ostriches in the sand and not listening at all. They told them they had better take another look because they are the ones who invest here.

The honourable member for Cochrane South, I think—I hope his records and facts are right—said that the president of the Ontario Home Builders' Association applauded the budget. The construction industry is in a terrible state today. There are no more buildings going up. People are out of work. I will challenge him to send over to me anything showing where this president of the home builders' association stated how happy he is with that budget.

We saw the demonstration. It is a very short time since this government came to power. The demonstrations out there are all linked to economic issues, meaning that they want money in their pockets, they want to be trained.

The young people at this critical time in May and June who will be looking for jobs in order to pay for their school fees may not go back to school at all because they do not know how they will be paying their school fees. I challenge this government to look at this opposition motion that my colleague has brought forward, to do something and help those people who have been victimized the most by this terrible recession.

1720

Ms S. Murdock: It is true that this budget is going to leave us with a \$9.7-billion deficit, but I cannot say often enough that if our government did not spend one penny, one red cent more than it is already spending and has already spent, our deficit would still be \$8.2 billion. What it boils down to is that this supposedly wasteful and irresponsible government is actually only increasing our spending by \$1.5 billion.

And why is that \$1.5 billion being spent? I think most of it is because, for many of our citizens, we found out an awful lot in Transitions. The Transitions report in 1988 very clearly states that one of the key provisions for social assistance changes in this province is that of getting people back to work. This report, that did not have any of the concerns of a recession, made the recommendation that the need for greater employment among our citizenry is there at any time.

But in a recession the need is even greater, and our budget addresses those needs. It will spend some of the \$1.5 billion on retraining. With the large number of closures in this province predominantly due, I might add, to free trade, the GST and the high dollar, more and more workers need to learn new and different skills.

More money, too, is being used for small business initiatives and for research and development, something that is sorely needed here. Small and medium manufacturing firms this year will receive \$57 million in the form of loans or guarantee of loans. We recognize that the backbone of this province is small business in terms of employment and they too are receiving benefit from our budget.

It is the social system that has to be addressed in this budget. There are more budgets to come, and that is another thing everybody in this House has to realize. This is our first budget. In the social system structure alone, we are adding \$215 million to an already overburdened structure because during this recession it is needed.

What are we going to do to those workers who are unemployed and have to accept welfare? There is no place else for them to go without some added moneys from this government. Social assistance costs have risen almost \$2.5 billion in the last two years. These figures are not just figures, they represent people who need food, clothing and shelter, and our budget addresses those needs.

We have not forgotten the low-income earners, either. Too often they are considered the working poor and they too need our help in their taxes: supplements for dependent children, elimination of taxes for certain levels earning under \$22,500. Why should someone earning \$84,000 or more a year not pay an increased surtax?

We have assisted our transfer partners as well. I was listening to the member for London North who was saying that we have not even touched education. That is not true, because they are transfer partners with us. In our budget we have addressed the transfer partners—our municipal partners, school board partners, colleges and universities partners and hospital partners. More money has been allocated to assist this year while costs for them have increased significantly. This budget has not forgotten their added burden.

It has to be pointed out that this is only our first budget. Much as we wish, we are unable to make this world, or at the very least this province, a better place to live in overnight. It may have been easier to have instituted much of our philosophy had we walked into a surplus position as we were led to believe, but the reality is that not only did we not have a surplus, we were slapped with a recession as well.

Our Treasurer, full of integrity and a firm belief in the need to increase spending in recessionary times, has done so with restraint. There is no need to work a new budget at this time, as suggested by the member for St Catharines. If we did, God forbid, operate on the basis of the federal plan and cut back on everything, like freezing salaries, what would happen to those burgeoning rolls of the unemployed who cannot find work at this time? What would happen to their families?

The member for St Catharines, in his opposition day, wants some evidence of managing government spending. For the first time Ontario will be able to look at a financial statement and see what actually has been spent in operating costs as compared to capital costs. The people of Ontario are entitled to a breakdown, and now they will get one.

In our all of eight months on this job, we have provided this time a budget for the people of this province. It certainly will assist the housing market, small businesses, manufacturing firms, education and social structures. You can look at all of those as structures within our system, but each of those structures represent people, and this budget has been presented to assist them.

We were elected because we are different than our opposition people over there, and now, because they do not like our approach, they and their friends—being corporations and the media—are bemoaning our method. There will be no new budget until we are ready to give one.

The Acting Speaker: Further debate, the member for Essex-Kent.

Mr Hayes: Thank you, Mr Speaker. I will be very brief.

Mr Stockwell: That is a woman, Pat.

Mr Hayes: Madam Speaker. I thank the member very much. That is the most intelligent thing he has said since he has been in the House.

This resolution causes me to think back to when I was running for municipal council. My Tory opponent's platform was that he would reduce taxes. This is what he was telling the people of Maidstone township. My response was, if you do not want bridges built or repaired, if you do not want roads built and maintained, sewers installed, water lines built and all services cut, then that would be no problem and taxes could be reduced.

If the Liberals and Tories had their way, people would be laid off, families on low incomes would have lower incomes, more small businesses would become unviable, schools and hospitals would be further underfunded, the environment would further erode and more family farms would be lost in this province.

The only thing the opposition wants to talk about is the deficit, but you do not hear them mention helping people most in need. This is a people budget. This budget is about helping farmers, the handicapped, the poor and the working poor, the women and minorities, the homeless, small and medium-sized businesses, and the people who are out of work.

I am proud to be a part of a government that has chosen to fight the made-in-Canada Mulroney recession. I am also pleased that this government has decided not to follow the lead of the federal Tories. They cut back on transfer payments to the provinces, but we have not cut back on payments to the municipalities because we do not feel that the burden should be added on to the municipalities because of the insensitivity of the Tories in Ottawa towards the people of this province.

Finally, the Liberals would like us to believe that the problem in Ontario happened on 6 September. The truth of

the matter is that the previous Liberal government planted some very bad seeds in this province. Then they left the farm, and they have the reformers over here supporting them.

I cannot support this resolution because it is against the people who I represent in this province, the people who are in need.

1730

Hon Mr Laughren: I am pleased to take part in this debate. I am sorry that I was not here for the entire debate because I was not, quite frankly, aware that it was going to happen this quickly. I know that is my fault, not the fault of the opposition, and meetings were already set up. However, I am pleased to be here now.

There has been a great deal of talk about this budget, and I was somewhat surprised in some quarters to hear opposition to it, because there seems to be a misunderstanding about the budget and about the deficit that flowed from it. There is no question that a \$9.7-billion deficit is an historically high deficit for the province. I do not feel comfortable with a \$9.7-billion deficit. I do not know anybody who would be. But I can tell members that I have not had one minute's second thought since 29 April but that we did the right thing in fighting the recession this year.

I would remind members that in the last year this province lost 260,000 jobs. Our unemployment rate is running at 10%, and it is going to be high for the rest of this year all across the province. If we had done that which the third party would like us to do, and in particular which the federal Conservatives in Ottawa apparently would like us to do, we would have had to slash major programs, close hospitals, stop building schools, stop making repairs to our roads. There is no nonsense about that whatsoever.

This deficit is a recession-driven deficit, for totally new spending in this budget comes to about \$1.5 billion. So what the opposition is complaining about, presumably, is the balance of that deficit, which totals around \$7 billion to \$8 billion. The rest of the deficit was to fight the recession, and I want to say that I am getting a little tired of having the Conservatives in this Legislature and the ones in Ottawa, the very people who created the recession and gave us this deficit, telling us that we are not doing the right thing.

There is no question but that high interest rates, free trade, deregulation and the value of the Canadian dollar had more to do with this recession than anything the previous government did or anything we have done in the eight months we have been in office. There is no question about that, so I find it very difficult when we in Ontario are trying to fight a made-in-Canada recession with a made-in-Ontario recovery to be criticized by the very party that got us where we are now. That is simply inappropriate and, quite frankly, it is intellectually and fiscally dishonest on the part of the Tories. That is what it is.

I have heard a lot of complaints about the deficit, but I have never heard anyone in opposition stand up and say where the \$6.7-billion difference should have come from. What they say is, "You should have laid off thousands of civil servants." That is what they say, as though that is

going to solve the problem. Apparently for the Tories, a 260,000-people-out-of-work increase is not enough. They want more. I do not know how. They have managed to pick out one group of workers in our society and say, "They're to blame," namely, the public service in this province. I am sorry; that is simply not where our heads are at. We do not think they are to blame and therefore we do not think they should pay the price of this recession that was created by someone else. We continue to believe that.

As though it were not enough that the recession caused this deficit, at the same time we had the federal government cutting back on transfers to the province; this year alone by \$1.6 billion. How does anyone, how does any Conservative in this country point to Ontario, which is fighting the recession, and say, "You shouldn't be doing that," when they caused the recession themselves? Surely that is inappropriate on the part of the provincial Tories. I understand that the provincial Conservatives did not cause what the federal Tories have done, but I want to tell members that when I hear them defend everything that the federal Conservatives do, I have to wonder whether or not they are being particularly straight with us here in Ontario. I really wonder about that.

Of course, just in the last 24 hours or so, we had the spectacle—I cannot think of a better term—of the Prime Minister of this country going to Japan, on the world stage, and questioning that this is a good place to invest. Now, I ask members, is that behaviour for a Prime Minister who is supposed to be over there selling Canada as a good place to live and a good place to invest? That is hardly appropriate behaviour for the Prime Minister.

There was a report that just came out by the United Nations that ranked all the different countries in the world in terms of being a good place to live. Do members know where Canada ended up? Number two. I think that is not bad.

Interjection.

Hon Mr Laughren: Well, quite frankly, number two. One reason they rank us number two is the quality of our health care system, the quality of our education system, the quality of other aspects of the social infrastructure out there that give us the quality of life that I think is not number two: I think it is number one, second to no one in the world.

This government made a decision in fighting the recession that it was not going to allow the social infrastructure to run down. Not only that, and I think this is an aspect of the budget that a lot of people have missed, we decided to maintain our capital spending, not just in this year but in the next three years in our medium-term fiscal forecast as well. I really believe that if we are heading for a time of a high value added economy—which I think we simply must be—in an era of sustainable prosperity, which means that prosperity is not on the backs of the environment or the backs of working people or the backs of women or the backs of minorities, but rather a sustainable prosperity that has equity and protection of the environment built into it, then we have simply got to continue to

spend money in capital to make sure we maintain that infrastructure out there that is so important to us.

I came back just the other day from New York, where I was renewing acquaintance with some old friends. I can tell you, Madam Speaker, that when they talk to us about our problems, it is with envy, because if you talk to people in New York City or New York state—and I am not going to tell them how to do their job—they have very serious problems in their society. They will tell you that a couple of reasons are that they did not maintain the capital expenditures during the last 20 or 30 years. They simply have not done that. Second, there are enormous gaps in their social programs. What they kept saying to me was: "Tell us about your health care system. Please tell us more about your health care system."

Do members know why the private sector is so interested in our health care system? In the United States, for an employer to pay the health care costs of the employee costs about \$3,000 per year per employee. In this province, it is \$640. That is what I call competitiveness. That is being competitive.

1740

I should comment on the fact that Ontario has lost its triple A credit rating by all of the credit rating agencies. The final one reported today, Standard and Poor's, dropped us one notch. I was not surprised that we dropped a notch in the credit rating. I think when the credit rating agencies see a deficit go from \$3 billion up to \$9.7 billion, they are going to take a look at it and say that is a concern and they are going to drop us a notch.

Up until we lost our triple A, there was not a single province in this country that had a triple A credit rating, so it is not as though it is the end of the world. The last time Ontario lost its credit rating was in 1985, six years ago. Three years later the province got back its credit rating.

Mr Stockwell: You are not getting it back.

Hon Mr Laughren: Well, I think that for those people who say we are not going to get it back—by the way, it is the member for Etobicoke West of the third party who is echoing the views of his Prime Minister that we are in some kind of difficulty in this province. I want to tell him, I think it is time the Prime Minister and the member for Etobicoke West started showing the kind of confidence in this province that we have in this province.

I think we should put in perspective the \$9.7-billion deficit, and if I could just conclude by reminding people that if we had done nothing in terms of new expenditures, we would still have had a deficit of \$7 billion or \$8 billion unless we did, as the third party would want us to do, slash major programs and lay off thousands of civil servants.

I think we should remind ourselves from time to time that this is a one-year recession, this is a one-year \$9.7-billion deficit, and we are committed to attacking the deficit from this year on. In the budget is a three-year medium-term forecast that shows that every year for the next three years revenues will exceed expenditures and we will get the budget down. By the end of three years the operating part of the deficit will only be \$3 billion. Two years after

that, the operating deficit will be zero. We are committed to reducing the deficit.

In conclusion, I want to express my appreciation to the member for St Catharines for putting the resolution on the order paper and allowing us to have the kind of debate that the third party does not want us to have in this assembly, and finally to thank all members of the Legislature who took part in the debate, but in particular those ones from my caucus.

Mrs McLeod: I rise to speak as the opposition critic for Community and Social Services and I will speak only briefly to a budget that provides a 13.4% increase in spending but buys very little that constitutes improvements in social programs.

I know the government will point out, quite rightly, that a substantial increase in social assistance payments is a significant part of this expenditure increase. The increase is directly related to the growth in case load that has resulted from rising unemployment, and we do acknowledge that this deficit is driven in part by the costs of maintaining social programs in a recession.

Thank goodness we have a social security system in place and that it does work to buffer people temporarily against the impact of recession and the reality of unemployment. But the stress must be on the fact that this is supposed to be temporary. Getting people back to work must be the highest priority of this government, just as preparing and supporting and encouraging individuals on welfare to return to work must be the highest priority of social assistance reform.

I continue to be concerned about the needs in all areas of social programs, because I know that the needs are real, and I must question the priorities that lie behind decisions that have produced such a huge increase in spending with so few of those critical needs addressed. But my greater concern with this budget is that it provides no basis for the economic recovery that would give us any hope of meeting those needs in the future. With no basis for economic recovery, the future promises only more unemployment, higher welfare costs, further reductions in revenue and more soaring deficits.

There is no point in being a naïve advocate for social policy. The basis for strong social programs must be our economic strength. Without that base, even our existing social programs will collapse, and that is one of the very real and very dangerous impacts this budget can have.

If the experience of the federal government has taught us anything, it is that we should not and must not finance today's programs by taking out a mortgage on the programs that we need tomorrow.

We have seen at the federal level how large deficits have forced devastating cutbacks in social program funding. With the deficit we have in this budget, and with little realistic expectation that it will not increase in the future, we will find that we are using more of our tax dollars in Ontario just to pay the interest on the debt, with fewer and fewer dollars available for needed social programs.

This budget is almost oblivious to the need for economic recovery and future growth. Seven hundred million dollars in an anti-recession fund scattered around in an

effort to finance as many short-term capital projects as possible hardly qualifies as a plan for recovery.

The Treasurer's hope that it will shorten the recession is a delusion which he alone believes is a reality. Reality requires a longer-term focus. Growth requires both the encouraging of new business and industry and support for those businesses and industries that are facing the most serious, the most critical challenges to survival that this province has ever known.

The Treasurer's delusion that he has shortened the recession with this budget is a dangerous one, because the delusion prevents this government from emerging from its dream world to give us the leadership that is so urgently needed. In the absence of this kind of leadership, the frighteningly negative impact of this budget can only become a nightmare in the future. Increased revenue simply must not come from new taxes in a recession-battered, GST-hit period. Revenues from existing sources will only be further eroded as businesses and industries collapse and more people turn to the buffer of social assistance because there are no jobs for them.

Only through economic growth can we increase real revenues. As the economy improves, jobs are created, revenues grow while the numbers on social assistance decrease, and the cost of social programs in areas from welfare payments to child protection to health care goes down in relationship to the greater sense of optimism and wellbeing. That is the only way in which dollars can be found to sustain important programs and begin to address new needs.

In the absence of the realistic long-term planning that is needed, there can be no optimism. We can only expect a series of cumulative negative effects on the economy, on revenues, on programs, and on the people of this province. I support this resolution calling on the government to present a new budget, a better budget, that meets the immediate and long-term needs of all the people of this province.

Mr Conway: I am pleased to join the debate sponsored by my colleague the Treasury critic for the official opposition, and I do so encouraged by some comments made earlier this afternoon by the newly elected member for Oxford, who reported during question period that in recent days he and his colleague the member for Perth had had the opportunity to travel throughout those two wonderful southwestern Ontario counties to talk to people about the budget, and he cited a couple of groups that were feeling rather good about things.

So this afternoon I took it upon myself to go up to the library, because I thought the member for Oxford provided me with a good opportunity to sample opinion in those two wonderful counties, recently won by the New Democrats, to see what people were saying in Oxford and in Perth county.

I wanted to report in this debate this afternoon—eight minutes left—what the people of southwestern Ontario, and more especially what the people of Perth county and Oxford county are saying as reported in the county press. I know my friends the members opposite will be interested to know, for example, that on the day after the budget the Stratford Beacon-Herald reported, I think not surprisingly,

that the local member, the Deputy Speaker of this chamber, newly elected, was reporting that the budget was a good budget because it concerned itself with people, while the same article of course quoted a leading business person from Perth county as saying, "The budget is irresponsible bordering on criminal." An editorial in the same paper on the same day said, "The NDP budget is reckless." A few days later, the Stratford Beacon-Herald carries the headline, "NDP Too Generous to Rich in Ontario." In the same edition, we are told the county council has paid \$80 to send the warden of Perth county to an NDP fund-raiser.

1750

To be fair, the Beacon-Herald goes on a few days later to give some praise to my friends opposite for their tightening of the OHIP regulations, which it says was long overdue. But a few days later the same paper says that Ontario's reasons for bowing out of national school tests fall well short of a passing grade.

The front page of the Beacon-Herald just the other day quotes local politicians and business people in that wonderful Perth county city as reacting with "horror and astonishment" to the new NDP government's plans for the common pause day.

The budget, causing the loss of the credit rating, of course produces another editorial saying what my friend the member for Fort William has just concluded in saying, and that is that of course this budget is doing nothing to create a climate of investment, which we all know will be absolutely essential if we are going to have new wealth created so that there are new jobs and new opportunities for the young, middle-aged and older people all across the province.

I cannot read it all, but the district editor of the Beacon-Herald, in an article called "The County Line"—I will send a copy across to my friend opposite, because what Jim Hagarty says about "the NDP's bought the farm" is too precious for me to even read. But I will send it across the way.

The Oxford county press is no better. It is a very interesting survey, and I only had 90 minutes to quickly canvass the editorial, for example, in the Listowel Banner, reprinted in the 15 May edition of the Milverton Sun, which talks about the big gamble. Let me quote from that learned journal in that part of southwestern Ontario. I think this editorial speaks for a lot of people in this province when it says:

"Most Ontario workers are unorganized people making less than \$40,000 per year. That is certainly the case in Perth riding. The Laughren budget offers nothing for middle- and lower-income workers except more taxes on gasoline, cigarettes and alcohol. It offers little to municipalities such as Listowel in the way of development assistance. Instead, it has municipal governments worried about having to raise even more taxes to meet promised increases in social services and education.

"Given the Laughren example," it concludes, "municipal governments must wonder why in heck they are trying to cut costs and balance budgets. For that matter, maybe we should all go out and shop till we drop, spending money we haven't got. Only time will tell."

Finally, in the Ingersoll Times, again a very interesting article by a young fellow by the name of Mike Switzer, "On the Right Track," a devastating indictment, I thought, of the budget on other grounds. I am not simply going to take valuable time—

Mr Hope: You got it right—on the right side.

The Deputy Speaker: Order.

Mr Conway: If my friend from Maidstone township thinks the editorial byline suggests a favour in the Rae-Laughren fiscal planning, I will make sure he gets a copy of this, because it is a perspective that is profoundly negative and very worrisome.

I simply want to thank my friend the member for Oxford for inviting me to take 90 minutes and to look at the Oxford and Perth county press, because quite frankly they reflect a lot, though not all, of the province. I accept what the member for Sudbury said a few moments ago when she said, and rightly so, "The people of Ontario must understand, and surely the opposition must understand, that the NDP is a breed apart." They are different, and I do not quarrel with that. I respect the right they have won to govern this province over the next four or five years in whatever way they choose. I will tell anyone that, but I think it is important we understand that certainly in budgetary and fiscal matters, they are a breed apart—and I do not mean Merrill Lynch.

In other matters, they are not as different as they would like us to believe. I notice that after months of waiting, in my county we have the first new order-in-council appointment of the new NDP government.

Mr Bradley: Who was it?

Mr Conway: It is the NDP candidate. I do not criticize my friends opposite for doing what I fully expect they will do. They will do it with more rigour and more vigour and more regularity than Bill Davis or David Peterson or Les Frost ever imagined possible. These are the new masters of Tammany Hall, and we will all respect the professionalism with which they will go their way through Tammany Hall.

But in economic policy, this budget is of great concern to people across the province, not because New Democrats behaved as we would expect social democrats to behave in matters of the social safety net—I fully expected that—but that there was no effort anywhere to control spending was a surprise to us all.

To read in the Daily Sentinel Review in Oxford of a few weeks ago members of the government party trying to take credit for the new Treasury Board as some kind of cost-saving initiative is breathtaking. To quote Stephen Lewis, it is "chutzpah on stilts."

We had 20 years ago the much-touted, much-talked-about committee on government productivity, which created the very thing the Laughren budget talked about in terms of what the new government wants in respect of its Treasury Board. That concept was called Management Board. I accept that if this government does not want the Management Board that the Davis-Miller-Peterson era developed, it is entirely this government's right to replace it with something else. But we have the typical socialist

response, layer on top of layer. We are going to pay for the ongoing tension between the Laughren and the Lankin forces within this emerging government.

I just say in conclusion that wealth creation ought to be the primary concern of this assembly—job creation, employment. This budget, well-intentioned as it may be in some respects, will not meet that priority objective.

1803

The House divided on Mr Bradley's motion, which was negatived on the following vote:

Ayes—27

Bradley, Brown, Caplan, Carr, Cleary, Conway, Cousens, Cunningham, Daigeler, Eves, Grandmaître, Harnick, Henderson, Jordan, McClelland, McGuinty, McLeod,

Nixon, O'Neil, H., O'Neill, Y., Phillips, G., Poirier, Poole, Ramsay, Sola, Sterling, Stockwell.

Nays—54

Abel, Akande, Bisson, Buchanan, Carter, Charlton, Christopherson, Churley, Cooper, Coppen, Dadamo, Drainville, Duignan, Ferguson, Fletcher, Frankford, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Huget, Johnson, Klopp, Laughren, Lessard, MacKinnon, Malkowski, Mammoliti, Marchese, Martel, Martin, Mathysen, Mills, Morrow, Murdock, S., North, O'Connor, Owens, Perruzza, Philip, E., Pouliot, Silipo, Sutherland, Ward, B., Ward, M., Wark-Martyn, Waters, Wessenger, White, Wilson, G., Wiseman, Wood.

The House adjourned at 1807.

ALPHABETICAL LIST OF MEMBERS

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Speaker: Hon David Warner

Clerk of the Legislative Assembly: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees: Smirle Forsyth

Clerk Assistant and Clerk of Journals: Alex D. McFedries

Sergeant at Arms: Thomas Stelling

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines and to the Minister of Northern Development
			Vice-Chair, standing committee on Ontario in Confederation
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Hon Brian A.	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
Churley, Hon Marilyn	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	
Gigantes, Evelyn	Ottawa Centre	NDP	
Grandmaître, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities

Name of member	Constituency	Party	Other responsibilities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Chair, standing committee on regulations and private bills
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	Chair, standing committee on resources development
			Parliamentary assistant to the Minister of Energy
Jackson, Cameron	Burlington South	PC	Chair, standing committee on estimates
Jamison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chair of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	Chair, standing committee on resources development
Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Health, Chair of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
Mackenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	Parliamentary assistant to the Minister of the Environment
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the Whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation

Name of member	Constituency	Party	Other responsibilities
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
Rae, Hon Bob	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	Vice-Chair, standing committee on finance and economic affairs
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	S-D-G & East Grenville	PC	Second Deputy Chair of the Committee of the Whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Hon Fred	Frontenac-Addington	NDP	Minister of Government Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	

Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

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Clerk: Harold Brown

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Parliamentary Precinct

Co-Chair: David Warner

Co-Chair: Noel Duignan

Members: Dianne Cunningham, Remo Mancini, Kimble Sutherland
Clerk: Smirle Forsyth

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First Session, 35th Parliament

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Wednesday 29 May 1991

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le mercredi 29 mai 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 29 May 1991

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

QUARRYING IN PROVINCIAL PARKS

Mr Ramsay: It has come to my attention, through the assistance of the Thunder Bay Field Naturalists and the Canadian Environmental Law Association, that the amended Mining Act, to be proclaimed into law next week, on 3 June, may have the unintended effect of permitting the quarrying of gravel and sand in Ontario's provincial parks.

Specifically, the Mining Act, as amended, redefines minerals to exclude sand, peat and gravel, and when combined with the Provincial Parks Act, which prohibits the development of mineral interests, the effect may be to open the door for quarrying of sand and gravel in Ontario's provincial park land.

Mining and quarrying were eliminated from provincial parks in 1988 by Liberal government policy and, while I am sure this loophole is merely an oversight and that the ministers involved would never have intended for such quarrying to occur, many provincial parks in Ontario contain within their boundaries large sand, peat and gravel deposits.

This is an urgent matter. There is right now an active proposal to open a gravel pit in Sleeping Giant Provincial Park near Thunder Bay, and if nothing is done to change the Mining Act then it will become legal to exploit this park and others for their gravel and sand resources.

I am sure the people of Ontario and the Minister of Natural Resources do not wish their parks to be exploited as gravel pits and their beaches exploited for sand extraction. Because of the immediacy of this issue, I will be presenting before the House later on today a private member's bill which will reinsert the words "sand, peat and gravel" into the definition of "minerals" in the Mining Act. The effect of this bill will be to ensure that the quarrying of these resources is not permitted in Ontario's provincial parks. I hope all members will support me in that endeavour.

SKILLS TRAINING

Mrs Cunningham: I was encouraged to see the Minister of Skills Development finally make a skills training announcement yesterday: \$2 million for counselling laid-off workers and \$1.5 million for retraining 250 workers at Stelco. But, as the budget clearly stated, to move towards an economy in which workers and businesses are skilled and flexible in effecting change will require new approaches to training. We need a comprehensive job training strategy, but there was nothing in the budget and we have heard nothing from the minister.

The province of Quebec, on the other hand, introduced a proactive training measure in its budget. Quebec will

provide financial assistance designed to maintain 90% of workers' disposable income while they seek training to upgrade their skills. When fully implemented, it is anticipated that \$100 million will be allocated to this program. Last year, Quebec also introduced a refundable tax credit aimed at businesses that invest in training their workforce.

These measures are significant because Canadian firms spend half as much as American firms on training. As Harvey Lazar, deputy chairman of the Economic Council of Canada, recently stated, if the private sector invests more heavily in training, then the need for public programs will be attenuated.

A skilled and adaptable workforce is an essential component to ensure that Ontario remains competitive. Instead of more statements about the need to train our workers, it is time this government unveiled a comprehensive human resource strategy.

CHILD ABUSE

Mr White: I would like to talk a little bit about a group in our area, in the city of Oshawa, that deals with a number of problems, physical abuse of children, emotional abuse of children and principally childhood sexual abuse, which is a tremendous problem throughout the province and throughout this country.

In 1983, after the death of Sharin' Morningstar Keenan, Outreach Abuse Prevention started to develop programs and develop books for children that were preventive in nature. Their programs for both children and women have been very well received not only throughout Ontario but, I understand, throughout the entire country.

This is a group which is instrumental in helping to prevent childhood sexual abuse; prevent, because it is too late 20 years after to deal with suicides, depression, permanent psychotic ailments; prevent, because by prevention one can create a community and a human being whose self-esteem is enhanced and whose capacity for dealing with this world is richer and fuller.

I want to commend that group and particularly those people who for so many years have worked in a volunteer capacity and dedicated so much of their time.

1340

SEVERANCE PAYMENT AND TERMINATION HEARINGS

Mr Cleary: The members will recall that I addressed a very serious labour issue in the Legislature on 6 May. After scheduling the termination and severance payment hearings for over 200 former employees of BCL in Cornwall, the Ministry of Labour arbitrarily and unilaterally decided to relocate these hearings to Ottawa.

Although the minister's letter to the former employees noting the change in venue was dated 25 April, these workers did not receive the registered letter until 14 May, almost three weeks later. At this time, I refuted the Minister of Labour's ridiculous claim that the move was necessary

because Cornwall could not adequately accommodate the hearings.

Just yesterday, however, I received further notice from the minister which stated a new reason: "The referee is from Ottawa, and ministry personnel have advised that he is more likely to agree to extend the hearing into evening sessions if the hearing takes place in Ottawa."

Essentially, then, the minister is stating that the referee is more likely to do his job responsibly if he can eat at home. I might remind the minister that the former employees of BCL do not have that luxury which the minister implies. Perhaps the referee and the minister would be more sympathetic if they were forced to wait two years for a severance package and then were asked to absorb the cost and burden of travelling to Ottawa for four consecutive days.

Furthermore, the minister states "that rescheduling this matter would result in a further delay of approximately 10 months." This entire hearing was already scheduled in Cornwall before the ministry arbitrarily decided to move the hearing. It is the opinion of the former employees, as well as myself, that this is an obvious attempt to alienate these individuals from the hearing.

GRENVILLE PARK

Mr Villeneuve: This statement is oriented towards the Minister of Tourism and Recreation as well as the Chair-man of Management Board.

The St Lawrence Parks Commission last year decided to close down five of its parks for economic reasons. The township of Osnabruck operated one of these parks very successfully, I might say, and showed a profit. Grenville Park right now is one of these four remaining parks that are still closed down and was closed in 1990 throughout the season. Mary Ann and Larry Cooper submitted the successful bid to reopen Grenville Park on a co-operative venture. If the government is scared of the word "privatization," we will use "co-operative." The government remains the owner of the park, and it will be operated successfully, I might say, by the Coopers.

The government is more interested in perception than substance in this case. We have at Grenville Park prime riverfront property waiting to be used by campers from Ontario, from Quebec, from New York state. We might even prevent a little bit of cross-border shopping from Ontario over to New York state. Let's reopen the park. Let's get the Coopers in there. They will not only fill that park but they will be looking to expand in the not-too-distant future.

I have confidence in these people. We have prime riverfront property. Let's get the bureaucrats and the politicians out of the way, and let's use our prime waterfront property.

POSTAL SERVICES

Mr Fletcher: Recently, postal workers in my riding of Guelph expressed concerns about the dismantling of the local postal services. Guelph union representatives remain convinced, despite the denials from Canada Post, that our historic downtown post office will be shut down. In fact,

Canada Post has given the union an outline of plans for yet another franchise. This franchise will be located within three kilometres of the downtown post office and will offer full service, including 80 boxes, the same number already located downtown.

Canada Post maintains the property will not be sold, yet acknowledges that the post office might eventually close counter operations and become a processing centre. No wonder postal workers in my riding are wary. Just last year the city lost its 130-year-old postmark when Canada Post began sorting Guelph mail in Kitchener. This happened just six years after Canada Post assured city council it would not ship local mail to Kitchener for sorting.

The Guelph situation is a microcosm of the dismantling of our national postal service through privatization, franchising and contracting out services. Canada Post has 61,000 employees, and there are more than 60,000 grievances in the system. But our national postal system is much more than those statistics. MP Len Taylor, the former New Democratic post office critic, noted in his report on the future of Canada's postal system that unlike so many federal institutions, our post office is an important part of our everyday life, of all Canadians, of farmers, fishers, small businesses, seniors, workers, cultural organizations, our families and friends. Mr Taylor is correct in saying that the view that seeks profit before service and places big business before the health and safety of its employees and the interests of the vast majority of Canadians ignores the role of our national postal system and what it plays in our daily life.

CROSS-BORDER SHOPPING

Mrs Y. O'Neill: Recently the Minister of Revenue travelled to Ottawa to meet her federal counterpart, Otto Jelinek, to ask him to collect the provincial sales tax at the border, the only solution this minister has come up with so far for the cross-border shopping epidemic.

The minister has not made a report of this meeting to the House, but we know that this minister, flushed with failure, told reporters that the federal government refused, and was punishing Ontario for opposing the GST.

Well, the next day, Mr Jelinek travelled to New Brunswick to meet with new Brunswick merchants and government officials. That very day he agreed that the federal government would collect the New Brunswick provincial sales tax at the border. The irony lies in the fact that the Liberal government in New Brunswick also opposes the GST, as did the previous Liberal government in Ontario and as the NDP government says it does here now.

The only people being punished are the merchants in the Ontario border communities, and the person meting out that punishment is the provincial Minister of Revenue, who would rather play politics than find solutions for one of the most important and pressing problems plaguing Ontario today.

BUDGET

Mrs Witmer: Last night, I, along with four of my colleagues, attended a meeting of the leader of the third party's task force on the budget. We were in Hamilton; it

was the first stop in a five-stop swing through southern Ontario.

The task force originally planned to hold several more weeks of hearings throughout the province. However, we are pleased to be cancelling these plans in light of the government's announcement yesterday of an all-party public hearings process. However, we will be passing on to the all-party committee copies of all the presentations we have received, and if last night's presentation in Hamilton was any indication, there is much to be gained from reviewing the briefs that these individuals have presented.

Last night we had an opportunity to hear from individual taxpayers. We had an opportunity to hear from those involved in the trucking industry, those in housing, those who were concerned about social services. I would like to mention to members just one letter that was read to us from an individual.

They had received a letter from a foreign investor. The investor had decided to hold off establishing business ties in the region because of the recent Ontario budget. However, the good news is that the jury for that company is still out. Ties were not broken.

The all-party committee struck by Ontario's government yesterday can ensure that investors will once again have the confidence to invest in this province and that new jobs will be created.

TRANSFER PAYMENTS TO MUNICIPALITIES

Mr Christopherson: It is with pride that I rise today to inform members of this House of just one of the benefits arising from the Treasurer's 29 April budget.

In my own community of Hamilton, I commend our city council for the leadership it has shown in announcing a 1.9% property tax increase for 1991, and both the public and separate school boards for their modest increase of 1.08%. In fact, the mayor of Hamilton has thanked our government for its sensitivity in increasing transfer payments to municipalities. When was the last time any municipal politician said that about an Ontario budget?

Our government has been squeezed by cuts in federal transfer payments which have cost Ontario an unprecedented \$1.6 billion this year alone. As members of this House know, it has been the general practice of previous governments to pass these cuts on to municipalities, despite the fact that property tax is one of the most regressive forms of taxation and hurts most those who can least afford it.

This budget demonstrates that the province has no intention of passing the buck or fighting the recession on the backs of municipalities. It shows our commitment to working with municipalities as our funding partners to maintain and promote the quality of services Ontarians need and deserve.

Interjections.

The Speaker: Now that we have captured everyone's attention, perhaps we can get on with business.

1350

VISITOR

The Speaker: Before proceeding to statements by ministers, members may wish to welcome to our assembly this afternoon the former member for Halton North, Walt Elliot, who is seated in the west gallery. Welcome.

STATEMENTS BY THE MINISTRY

COMMUNITY RECREATION FUNDING

Hon Mr North: Each year millions of dollars are spent to build and maintain community recreation facilities. Millions of tax dollars have also gone into programs that encourage more people to take part in recreation. Many thousands of Ontarians do take part in community events alongside their friends, families and neighbours.

Every member in this House knows first hand about the tremendous value of community recreation. All three parties have supported it. Our government believes it is time to make sure the Ontario recreation system benefits everyone.

Today I am proud to announce major improvements in the way our ministry will allocate community recreation dollars. Our new approach has the goal that by 1994, Ontario communities will have developed new recreation opportunities so that all individuals, especially those now facing barriers that prevent equal participation, lead more active and healthy lives. This goal is part of our government's commitment to fairness. We are especially proud to make this announcement during National Access Awareness Week, which also reflects our strong commitment to fairness towards all people of Ontario.

Taking part in community recreation can make a real and lasting difference in people's lives, but not everyone in Ontario has equal access to our recreation facilities and/or its programs. We want to ensure that everyone has a chance to take part. Therefore, I am pleased to announce major changes to our ministry's funding criteria. Our new program reaches out to people in eight priority groups. They are persons with disabilities, children and youth, women, working families, Franco-Ontarians, native people, older adults and visible minorities.

From now on, to qualify for funding under our new program, organizations must show that they will involve members from those priority groups in a significant way. This is a major change in policy. That is why our new funding requirements will be phased in over the next three years.

This new program will allow people to have full access to Ontario's recreation system. It will encourage traditional recreation groups to address the needs of others who do want to and will participate.

Our goal is a big one and so is the payoff. Our new program will make the recreation system stronger and more responsive to the changing social needs of the 1990s and beyond. I believe it will lead to more creative and innovative approaches to community recreation.

Our government takes leisure and recreation very seriously. Recreation can help reduce health care costs, provide a positive environment for children and adults and

build better communities across this province. By making major improvements in our recreation system, we hope to give more opportunities to more people across this province.

CAMPUS SAFETY SÉCURITÉ SUR LES CAMPUS

Hon Mr Allen: The promotion of safe and secure campuses is critical to the development of a positive learning and working environment for women students and employees at Ontario's colleges and universities.

At a time when 55% of the total student population at our post-secondary institutions is female, it is vital that we create a healthy environment on our campuses that will eliminate the crime of sexual assault and wipe away the causes of the existing fears of female students, faculty, administrators and staff. Simply stated, campuses that are not safe are not accessible.

À une époque où les femmes constituent 55 % de la population de nos établissements d'enseignement postsecondaire, il est essentiel de créer un climat sain sur nos campus en éliminant les crimes d'agression sexuelle et les sources des craintes des femmes qui sont étudiantes, professeuses, administratrices et employées. En d'autres termes, les campus qui ne sont pas sécuritaires ne sont pas accessibles.

While many universities and colleges have already taken steps to address the issues related to sexual assault and harassment on campus, much remains to be done.

To help post-secondary institutions address their responsibilities in this area and to contribute further to the advancement of education and employment equity, I am pleased to be announcing the details of new initiatives aimed at improving safety and combating the harassment of women on college and university campuses across the province.

In addition to the initiatives already announced and receiving funding from the Ontario women's directorate that deal with date rape and wife assault, I am announcing two further initiatives. The first is making campuses safer for women, and the second is improving the atmosphere for women studying in engineering programs.

We will provide a total of \$1.5 million this year and in 1992-93 to post-secondary institutions to develop measures to make campuses safer for women. Most of this money will be used to improve lighting, install emergency phones and create awareness campaigns that focus on the safety needs of female students, staff and faculty.

Nous consacrerons un montant de 1.5 million de dollars cette année et l'année prochaine pour aider les établissements d'enseignement postsecondaire à adopter des mesures visant à améliorer la sécurité des femmes sur les campus. Ces fonds serviront principalement à améliorer l'éclairage, à installer des appareils téléphoniques d'urgence et à réaliser des campagnes de sensibilisation mettant l'accent sur les besoins en matière de sécurité des femmes étudiantes, employées et professeuses.

Up to \$50,000 of this fund will be available to develop a project aimed at improving the current atmosphere for women studying in engineering programs. The project will

be developed after consultation with universities, representatives of faculties of engineering and women in engineering.

I also would like to refer to two related initiatives.

This year, with the financial assistance of the Ontario women's directorate, my ministry will provide \$200,000 for the development of a strategy to address the issue of date rape and to combat sexual harassment on our campuses. The strategy will include the development of a comprehensive training package with resource materials on this subject, distribution of materials to all colleges and universities and the delivery of instruction on the use of this package. Post-secondary institutions can use the strategy as required to meet their particular needs.

Violence against women is a major social problem that we must work hard to eliminate. It is important that we raise the awareness of faculty and students about the issues of wife assault. It is essential that students, in particular, be prepared to react appropriately in their professional lives to the needs of wife assault victims.

La violence faite aux femmes est un problème social important et nous devons travailler avec acharnement pour l'éliminer. Il est crucial de sensibiliser davantage le personnel enseignant et la population étudiante à la violence faite aux femmes. Il est essentiel que les étudiantes et les étudiants en particulier apprennent à réagir de façon appropriée au cours de leur vie professionnelle aux besoins des femmes violentées.

To help our post-secondary institutions in this area, my ministry, again with the financial help of the Ontario women's directorate, will provide \$100,000 this year to support projects that focus on curriculum development in professional fields such as nursing, law and medicine that will address this issue.

We require a concerted effort by government and all members of the post-secondary community to eliminate violent behaviour towards women. The projects I have announced today build on many initiatives of this government, our institutions and local action groups that have been initiated to create a healthier and safer climate for women across the province.

I believe our colleges and universities can make a difference on the issue of women's safety by setting an example for others to follow. I look forward to the day when no person in this House need stand up and announce programs related to violence against women.

1400

RESPONSES

COMMUNITY RECREATION FUNDING

Mr H. O'Neil: My response is in reply to the statement of the Minister of Tourism and Recreation about National Access Awareness Week. I can tell the minister that not one of us would disagree with the tremendous work that community projects such as this do, but while the minister was making the statement, a couple of our members said, "Old news." It is old news.

When I was Minister of Tourism and Recreation three or four years ago, that was one of the policy statements we had. We involved all of these people whenever we made grants and no grants were ever made for some of these

community projects unless these people were involved and part of it. There were other programs and other ministries that provided money for access.

I would remind the minister also, when he is talking to his ministry officials, that when you look at the funding that has been given to the Ministry of Tourism and Recreation for capital grants for some of these recreation facilities, this ministry has dropped from \$32 million down to approximately \$28 million and the projects have dropped from 479 down to 427. It is well to have these high ideals, but unless the minister has the backing to give more money to some of these projects, he is not going to have access for some of these groups.

I would also remind the minister that when we are talking about money for access and money for recreation, he should be buttonholing the Premier and the Treasurer, in fact maybe taking them by the scruff of the neck and saying, "More money should be given to Tourism and Recreation."

Yesterday, when our budget task force appeared in Collingwood, many of the people who appeared there on the tourism side said: "No one is speaking for us in tourism. No attention is being given to us." I know that here we are asking for additional money, but I can tell members that where the overall budget gave an increase of approximately 13% this year, as I mentioned, the Ministry of Tourism and Recreation dropped from \$32 million to \$28 million, and the tourism industry is really hurting. Unless this government has a healthy tourism industry, it is not going to have the income coming into the Treasury to help keep these people in business.

Again, it is old stuff. The minister should get hold of the Premier and get hold of the Treasurer and tell them he wants some more attention given to those two areas of the government.

CAMPUS SAFETY

Mr Daigeler: Yesterday my colleague the esteemed member for St George-St David said the NDP always looks best when it announces projects that were under way by the previous Liberal government. I think the same thing is happening today with the announcement by the Minister of Colleges and Universities, which I certainly am very appreciative of, because last August we announced, and I would like to read from the announcement:

"In recent years there has been a marked increase in violence against women on Ontario college and university campuses. Therefore, the Ontario Liberal government is establishing a fund to improve campus security. Its purpose will be to reduce safety hazards in the campus environment through changes such as improved lighting on walkways and in parking areas, ensuring safe access to buildings, installing emergency telephones on walkways, installing alarm systems in residences and classrooms."

Since the minister finally, almost a whole year later, is making these very same announcements, I am obviously very pleased that he is finally coming forward with these initiatives. However, I would like to indicate one thing. I think it is a very important matter the minister is addressing. He is unfortunately only looking at the symptoms. He

is encouraging our university sector to become more sensitive to the issue of wife assault, and certainly I support that, but I wish the minister would go deeper and I wish his whole government would take the issue even more seriously.

I think it is time to look at the root causes, the origins of wife assault and violence against women. Why is it? What is wrong in our culture, in our economic system, in our social structure, that the thought of violence against women is even occurring?

I think the minister would do very well if he would encourage the university community to do very serious studies as to why it is that the thought of violence even occurs in the minds of men. I think his government could provide real leadership by doing a very in-depth and very serious study of the origins and causes of that kind of violence, because while it is important to treat the symptoms, and I congratulate the minister for his initiatives in that regard, I think it is even more important and more needed at this time to look at the causes and the root origins of that serious social problem which is violence against women.

COMMUNITY RECREATION FUNDING

Mr J. Wilson: I am pleased to stand and respond today to the statement made by the Minister of Tourism and Recreation. This is his second announcement since he was appointed minister some eight months ago that tells us nothing about his plans to address the serious issues affecting the tourism and recreation industries—issues like the 32% increase in cross-border shopping through the months of February and March of this year and the incredible tax increases on cigarettes, alcohol and gasoline that the Premier's budget inflicted on these industries.

The minister has not taken any initiatives. I think he is afraid to take initiatives on behalf of the tourism industry. We simply get vague statements from him talking about accessibility. I want to talk about today's statement, for example, which says, "I am pleased to announce major changes to our ministry's funding criteria." Then he says it is a new program that is targeted towards eight priority groups. "They are persons with disabilities, children and youth, women, working families, Franco-Ontarians, native people, older adults and visible minorities."

I want to know who the hell he was funding before, because that covers just about 9.5 million Ontarians. That is the province. When you walk into any arena in my community and his community, surely to God you see a number of these people from all these priority groups. It makes me wonder what this announcement is.

I am putting the minister on notice today that if this is a major change in policy, first of all, he has got to explain to us whom he was funding in the past and, second, if this is simply another communications plan by his ministry to make himself and his ministry look good, then I am putting him on notice that he had better not spend one more dollar of taxpayers' money on this sort of nonsense because this is the second vague, tell-us-nothing announcement he has made. He has been in office eight months and

it is time he got down to the serious matters affecting the tourism and recreation industry.

We all agree on, and both the Liberals and the Conservatives have very good records in the past of, for instance, removing physical barriers for physically challenged people. He addressed that issue in his previous statement a few weeks ago. But if the minister is going to spend millions of dollars on a communications plan that does nothing for these people, or any of the other people in his so-called eight priority groups, then I am telling him that he is going to have the toughest time of any parliamentarian in this House.

CAMPUS SAFETY

Mrs Cunningham: We of course would agree with the Minister of Colleges and Universities and encourage him in his work to make campuses safer in Ontario.

At this point, I would like to address the second part of the minister's announcement, and that is the part in regard to a fund to improve the current atmosphere for women studying in engineering programs.

What we really need in Ontario today are more women studying in engineering programs in a very positive atmosphere. The work of the Association of Professional Engineers of Ontario, when it did its survey in September 1990, would give the minister some wonderful resource materials and wonderful people to help him in fact improve the accessibility and encourage women to enter the non-traditional professions that we need so much in Ontario and especially in the study of engineering.

I myself introduced a resolution, in December 1990, that stated that we need a highly skilled workforce to maintain Ontario's economic competitiveness. I encourage the minister to establish a WISE fund, women in science and engineering. I am sure he will remember it well.

I take a look at this \$50,000 as just the beginning. I will send the minister the backgrounder that talks about the WISE fund, women in science and engineering, that talks about a fund to encourage women to study engineering and applied science. It is very specific in that scholarships would be awarded to 500 women entering engineering studies and 300 women entering applied science courses over the next five years. It would pay full tuition expenses for each of the four years of the students' programs. It would be allocated to the 16 universities. These are all of the scholarship funds.

I think what we really need are more women in engineering and I am certain this House would encourage the minister in his work to make certain that happens in the term of his government.

1410

ORAL QUESTIONS

Mr Scott: Is the Attorney General coming in? If not, I would like to stand down two leader's questions.

LABOUR DISPUTE

Mr Carr: It is a pleasure to get a chance to go first.

My question is to the Solicitor General. It deals with the Budd Canada case. I would like to read him a quote

from Wayne Sudds, who said Staff Inspector John Westbrook told him on 26 April that the Ministry of the Solicitor General told the police not to back off on the picket line confrontations. Reading from his notes, he said, "Mr Westbrook, based on the conversation, said there would be no assistance to transport products across the line." Mr Sudds said, "Mr Westbrook, the officer who co-ordinated the strike, said it was the first time in his career that the government had intervened in a labour dispute."

My question is very clearly that in light of the contradictions I would like to know if he would explain to the House exactly what was said during this famous telephone conversation.

Hon Mr Farnan: First, let us reiterate once again the words of the chief of police for the Waterloo region. His words are, "There was no attempt to influence local operational decisions by the Ministry of the Solicitor General." They are the words of the chief of police for the Waterloo region.

Second, what exactly transpired? My understanding is that this is the advice that was given: Information first of all that there was a phone call from a union member, that the union member was interested and the union was interested in being able to talk to the police about having a peaceful existence on the picket line. The advice that was given by the policing services division of the Ministry of the Solicitor General was, "If you're talking to the union, it would probably be a good idea if you also spoke to the management." That sounds like very good advice to me, not to speak to one partner in a dispute but to speak to both. That is the extent and the limit of the advice. I am very proud of the very balanced role that the policing services division took in this particular instance.

Mr Carr: The problem we have is the contradictions, because not only the company president but the union president, John Coleman, have said that Westbrook also told company and union officials that police were getting pressure from Queen's Park. It goes on to say that yes, the police said there was no pressure, but we have the union, the company and also the security firm saying there was pressure. Also, the minister's executive assistant said, and I quote from a newspaper report, "It was simply a recommendation."

My question is very simply, what formal instructions has the Solicitor General given to his ministry not to interfere with police forces across this province?

Hon Mr Farnan: Let me instruct the critic for the Conservative Party. We have a legislative responsibility under the new Police Services Act to provide both information and advice to policing services in the field, particularly when there are special circumstances where there are problems. It is a legislative responsibility. Indeed, one could say it is a duty, but it is a duty we are very careful about, because we realize that the operational decisions by policing services must be made by the local chief of police and his police force.

In a very delicate situation, we informed the local chief of police that yes indeed the union was concerned. We also added the caveat that perhaps it would be wise not only to

talk to the union but to talk to the management at the same time. In addition, let me just add that as a result automotive parts were allowed to move out of the factory to facilitate the management. The police did a wonderful job in this instance.

Mr Carr: I would like to see if the Solicitor General will confirm that this is the first time his ministry has in fact made a phone call during a labour dispute. We now know that one of the circumstances when a phone call is made is when there is a labour dispute and I would like to see if the Solicitor General could outline today in what other circumstances he feels his ministry will interfere with police forces across this province. We know that he will during labour disputes. Perhaps he could outline in what other circumstances his ministry feels it is appropriate to interfere with the police forces across this province.

Hon Mr Farnan: Again let me try to bring the critic up to speed. The role of the Solicitor General, of the Ministry of the Solicitor General, the role of policing services, is public safety. If there is public safety at stake on the picket line or in any other circumstance, we have a responsibility as a ministry to pass on information. Indeed, the legislation, I would remind the member, gives us a duty not only to provide information but in problematic situations to render advice. But the advice is only advice. It can be used by the chief as he pleases. In this case the chief has clearly indicated that there was no attempt to influence. What more does the member want?

MINISTERIAL RESPONSIBILITY

Mr Scott: I would like to ask the Attorney General a question about the Farnan affair.

Mr Harnick: Which one?

Mr Scott: It is a good point, which one, but the one that first occupied us.

He will be aware that the issue of ministerial responsibility as it applies to the Solicitor General with respect to his office staff is an important issue. Indeed, as he will also be aware, almost every major newspaper in Ontario has called for the resignation of the Solicitor General, whether he has personal responsibility—

Interjections.

Mr Scott: The three Toronto newspapers, Ottawa newspapers, London newspapers, newspapers all across the province. But that is not the end of the matter. The really difficult problem that presents is not with the Solicitor General, but the unwillingness of the Premier to enforce his own guidelines.

In a major comment on ministerial, as opposed to personal, responsibility in 1985 or 1984, the now Premier said about ministerial responsibility, "If sometimes these doctrines mete out justice that seems a little hard in some circumstances, that is the way it has to be to protect the basic traditions of the place." The concern that is indicated is not about the Solicitor General but also about the Premier, because as the *Globe and Mail* said this morning, "The Premier's position is markedly at odds with the stance he adopted a year ago."

What I want to ask the Attorney General very simply is this: Was he or his ministerial staff aware when he commissioned the RCMP report that the report would be RCMP property and would not therefore be made public? Was he aware of that?

Hon Mr Hampton: No.

Mr Scott: I am glad to hear that, in light of the assurances—

Interjections.

1420

Mr Scott: I am glad to hear the Premier's answer through the Attorney General, furnished as it was, but it is good to have a one-word answer anyway.

I simply ask that question because the tenor of the Attorney General's answers while the RCMP report was being commissioned was that if it was at all within his power, he would make all of it public. That was the clear assurance he gave, not merely to members of the House but to the press and the general public. That is what he said. Indeed, yesterday he said, "I have no opposition to the release of the report by the police, but they have made it specifically known that they regard the report as their property."

Our party has made a freedom-of-information request for the police report, which is in the possession of the Ministry of the Attorney General and which has been read by him and by the Premier, I understand. The question I want to ask is, will the Attorney—

Interjection.

Mr Scott: It is never read by the member?

Hon Mr Rae: On a point of order, Mr Speaker: This is one of two allegations which the member has made in his question. I want to make it very clear, I have never seen any RCMP report.

Mr Scott: I think the Premier should read the RCMP report but, if he has not, I accept the correction.

The point I want to make, in the form of a question, is this: The Attorney General has said that if it was up to him he would release the report. That is the impression he created for two weeks in this House. We have made a freedom-of-information request. Will he undertake now to consent to that request, or not to object to it?

Hon Mr Hampton: It is unfortunate that I always have to correct the member for St George-St David. First of all, in my answer some weeks ago when asked if the report might be released, I said that I would consider the issue with crown legal advisers, with criminal lawyers in the Ministry of the Attorney General, and that if it were appropriate and proper, I would consider the releasing of the report.

The advice I have received is that this report, like many other police reports, has in it references to third parties. Some of the information is secondhand information. Some of it may be unflattering. Those individuals certainly have a privacy interest.

That may not matter to the member for St George-St David. We have already seen that he is capable of saying almost anything about anybody and making all kinds of

allegations here. But it does mean something to me, so I will say this: I have no opposition to the RCMP releasing the report, but it is very clear in its information to me that it considers the report its property. So if the member wants to make a freedom-of-information application, as I have said, I have no opposition to the release of the report.

Mr Scott: I am very grateful for that answer and to know the Attorney General will not oppose an application under the freedom-of-information act. I make that point because there are two ways to oppose the release of this report: one on general disclosure grounds and, second, on the basis that it is the RCMP's property. If he will not object to a freedom-of-information request, that will be made and I am confident that under the act the report will in due course be released.

But I want to make one further point to the Attorney General. When Ken Keyes was investigated, and indeed a criminal charge of a minor type was laid against him, that report was made public by the government at the explicit urging of the Leader of the Opposition of the day, who was calling coverup and all the rest of it all over the place when different and easier standards were applied by us.

Here is what the Premier of the day said, "The Attorney General decided to make that police report"—about Ken Keyes—"public even though it is not the custom because of the particularly sensitive nature of this matter and given the fact that it was the Solicitor General who was involved."

They required our government to maintain high standards. We hope they will have the guts to maintain those standards themselves with respect to this police report. As long as the Attorney General is going to hide behind the RCMP ownership of the police report, there are two documents in that report that he owns: One is the letter of the Deputy Attorney General and one is the written instructions given by the Solicitor General to his staff. Will the Attorney General please release both those documents which he owns, yes or no?

Hon Mr Hampton: I provided yesterday to the Legislature and to the media a summary of the information that is dealt with in the RCMP report. The only thing that is taken out of the RCMP report in terms of detail are the names of individuals who were interviewed by the RCMP. I can tell the member, as I told him yesterday, that the details of the letter I received from the deputy giving me her report are contained within the summation.

I have given him more and I have given members of the Legislature more in terms of accountability than the member for St George-St David was willing to give on many occasions, and I quoted back for him yesterday his own words, where he said that in general—and I agree with this—the details of police reports ought not to be released because they contain secondhand and thirdhand information about parties who are not the subject of the investigation, but who get involved in the investigation and who have comments made about them. They have a privacy interest and that privacy interest deserves to be respected. So the member has the summation which is all

of the details, minus the names of innocent individuals who were interviewed.

Mr Scott: The Attorney General emotes at great length, but what we are asking for now is a memo from his deputy to him and a memo from the Solicitor General to the Solicitor General's staff. The interesting thing is, they will not make that available. There is no reason why they should not, and I know why. I have an idea what is in it.

LABOUR DISPUTE

Mr Scott: Now I have a question for the Solicitor General about the next problem that he confronts. Yesterday, while responding to a question from the Leader of the Opposition, the Solicitor General failed to tell the Legislature, I am led to believe, why his office was contacted by union officials with regard to the Budd strike. In the words of the union president, who made a substantial contribution to their campaign and is therefore trustworthy, John Coleman, a call was made to see if the Solicitor General would "place pressure upon the police to withdraw."

Can the Solicitor General confirm that his office was contacted by this union official and that the call was made for the purpose Mr Coleman says the call was made for, "to place pressure upon the police to withdraw"?

Hon Mr Farnan: I have very clearly indicated to the House, first of all, that a call was placed to my office and that my staff very correctly took that message and passed it on to the policing services division. In other words, my staff were not going to deal with that issue; they were going to pass it on to the appropriate agency that would deal with it. The policing services division received the message from my staff that the union wanted to make contact with the local police in order to address issues of disturbances upon the picket line. The policing services then transmitted this information to the local chief of police, and the local chief of police is very clearly on record. Chief Harold Basse says there was no attempt to influence.

Mr Scott: We are now putting this together bit by bit. We now have it that the union president made a call to the Solicitor General's own office, not the ministry, which was received by his staff, those staff to whom he gives direction, we understand, and that, according to Mr Coleman, the purpose of that was to place pressure upon the police to withdraw. Following that, three calls were made by the Ministry of the Solicitor General to the police. One was made to the chief of police. A second call was made to the deputy, and the minister has explained that policy directions are obliged to be given by the Ministry of the Solicitor General to police. The third was made to—let me get his name—Inspector Westbrook, who was not a chief of police or in charge of policy but who was the man in charge of the day-to-day Budd strike.

I want to ask the minister, in light of what he said today, two things. First of all, did his office staff pass on to the ministry Mr Coleman's request to place pressure upon the police to withdraw and, second, what information would his ministry be giving to Inspector Westbrook on a policy matter, who is standing right there on the picket line supervising?

1430

Hon Mr Farnan: The information I have is that Mr Coleman did contact my ministry staff. In contacting them, the message is this—

Mr Elston: Your office?

Hon Mr Farnan: My office. In contacting, the message is very clear: We have difficulty communicating with the police locally and we are concerned about the situation on the picket line. That is the message—no more, no less. That message was transferred to the policing services division. The policing services division passes this message on to the local police force and by way of advice suggests that if they are meeting with the union, perhaps it would make good sense to involve the management.

What can be more balanced? What can be more fair? What can be more proactive in preventive policing than the actions taken by my ministry?

Mr Scott: It is becoming increasingly clear that this Solicitor General, the second law officer of the province, has grave difficulty, as does his office staff, apparently, in understanding the difference between politics being conducted as usual and the administration of justice in the province.

He refused to answer my question on whether he passed on to the ministry staff his constituent Mr Coleman's request that pressure be brought on the police to withdraw. He refused to answer that. I wonder why. This may shed some light on it. As the Conservative critic has pointed out, John Westbrook, the police inspector on the picket line, had a conversation with Sudds, who is himself a peace officer, of which Sudds took notes. Here is what Sudds says: that he spoke to Westbrook, the inspector, and Westbrook said to him that the Ministry of the Solicitor General told the police to back off from picket line confrontation and—wait for this—that this was the first time in Westbrook's long career that any government had intervened in this way in a labour dispute.

The Speaker: Would the member place his supplementary.

Mr Scott: I want to ask the honourable member when he is going to permit this business to be clarified by ordering a thorough investigation or by submitting the issue to the standing committee on administration of justice.

Hon Mr Farnan: This is not "somebody told somebody told somebody told somebody." This is a direct quote from the chief of police of Waterloo regional county: "There was no attempt to influence by the Ministry of the Solicitor General." That is as clear as you can get.

The second point the member should remember is this: As a result of the intervention, as a result of the actions taken by the local police force, goods happened to be moved out of the company to the benefit of management and the peace was kept. The goals and aims of management were met as a result of good, preventive, positive policing.

Interjections.

The Speaker: Order, please. The member for Willowdale.

Interjection.

The Speaker: Order, the member for York Centre. It is the member for Willowdale who has the floor right now.

MINISTERIAL RESPONSIBILITY

Mr Harnick: My question is for the Premier. No one ever alleged that the incident and now incidents involving the Solicitor General were criminal in nature, yet—

Interjections.

Mr Harnick: With all due respect, I tell members to read the Hansard. Yet the RCMP was brought in to do a criminal investigation and, lo and behold, in a non-criminal matter it found no criminal charges warranted. However, the evidence continues to show—and every day it gets worse—that the Premier's conflict-of-interest guidelines have been breached by the Solicitor General, and the evidence is that his conduct has been improper.

I refer the Premier to his conflict guideline 4, under fundamental principles. I interpret "fundamental" to mean "basic." It says: "Ministers shall at all times act in a manner that will bear the closest public scrutiny."

The Premier has an opportunity now to permit the closest public scrutiny by referring all these incidents to the justice committee for the closest public scrutiny to clear the name of his Solicitor General. Will he do that?

Hon Mr Rae: I want to just say to the honourable member that I cannot imagine a closer public scrutiny than what we have been through in this House over the last several weeks. Let's be fair in the circumstances. The Attorney General, without any consultation with anyone, as is quite appropriate, decided, on advice and discussion within his own ministry, without any discussion with anybody else, as is entirely his responsibility, to call in the RCMP because of his concern, I am sure, that no stone be left unturned in terms of an investigation. That was carried out.

Now, I have said in this House on a number of occasions with respect to this matter that I believe the accounts I have given to this House have been as clear as I can make them. I am happy to answer questions on this and to have this discussion here in this House in terms of answering these questions as clearly as I can. This is all out in the open in terms of what has taken place.

There were innocent mistakes made that should not have been made by people working in the constituency office of the minister, without the minister's knowledge. We have the RCMP investigation. We have a report from the director of criminal prosecutions of the Ministry of the Attorney General saying that in their opinion, there is no basis for a criminal charge, and that as far as they are concerned, on the terms of the information they had from the RCMP, the minister is a person of complete honesty and integrity with respect to the conduct of his duties.

I do not know what else the members opposite really want. If they are interested in the truth, they have got it right there in front of them.

Mr Harnick: I appreciate the Premier's offer to investigate this in this House. However, he has not provided us with all the documentation that will permit a real investigation.

Let me go on with the conduct of the Solicitor General, the part of the conduct that has not been investigated because it was not subject of a criminal matter.

The Solicitor General told this House that he gave his staff specific instructions to remain at arm's length from the judiciary. He tells us that he gave these instructions in February, in spite of the fact that he had the Premier's guidelines in December. Right away, that has to make his credibility somewhat suspect.

We now see, after that three-month delay, a report of the director of criminal prosecutions that shows that a staff member, referred to as member 2, who was a receptionist, had in fact no written guidelines or directions. The report—and I refer the Premier to paragraph 25—

The Speaker: The interrogative part?

Mr Harnick: —is silent regarding oral instructions to her. I can only conclude, if it is silent, he did not give those oral instructions, or surely that would have been a focus of the report.

The Speaker: Would the member place his question, please.

Mr Harnick: What we have is a conflict between what the Solicitor General told this House and what the Solicitor General told the RCMP. Now, if that does not concern the Premier, then all I can say is that the Premier's standards have sunk to the basement. Will he institute an investigation through the justice committee to look into the responsibility of this minister in terms of his activities regarding these matters, or is he going to continue to cover them up and not let him clear his name?

1440

Hon Mr Rae: In terms of the minister's name, I will let the director of criminal prosecutions—if he wants to talk about clearing someone's name, why does he not read this out one day, page 8: "The Solicitor General impressed the officers"—he is referring to the RCMP. This is the investigation the member yesterday said was garbage. That was his comment on an RCMP investigation. That is how impressive he was yesterday—"as being a man of high integrity who was making a concerted effort to serve the people of Ontario in his role as the Solicitor General. No evidence of benefit, directly or indirectly, from the writing of these letters was obtained during the course of the investigation." That represents a significant and fair, independent clearing of the name of the Solicitor General of this province. What more does the member want?

Mr Harnick: That may represent a clearing of his name in so far as a criminal prosecution is concerned. There is more to this matter than a criminal prosecution. It is obvious the Premier's guidelines have become meaningless. It is obvious that what he is doing is being done for political expediency. It is obvious that he is incapable of being the author, the judge and the jury in terms of enforcement of his guidelines. His guidelines are worthless because he will not enforce them.

Now, unless the Premier is prepared to investigate this matter, his guidelines are nothing more than a sham. If his guidelines mean anything and if his guidelines are to be

used and respected, he must send this matter to the justice committee for investigation. Will he do that?

Hon Mr Rae: I heard a long and vituperative preamble to a question. I did not hear very much of a question.

I will only say to the honourable member that I have indicated very clearly to the House, and the minister has indicated very clearly, that he at no time authorized or advised any contact with the judiciary, and if the member wants to refer to sections 19 and 20 of the guidelines, they are very clear in that regard.

An innocent mistake was made by members of the minister's constituency office staff, trying in good faith to serve the interests of their constituents. No benefit was received by anyone, no advantage was taken by anyone, and I cannot see how members can turn this into the kind of furore that they are pathetically attempting to do today and on other days.

Mr Scott: What is really pathetic is that this man was prepared to hang Frank Miller, he was prepared to get rid of Ken Keyes because he had a beer on a police boat, but when his troops are at the trough, it is deny, deny, deny, stonewall, stonewall, stonewall, cover up, cover up. That is what it is.

LABOUR DISPUTE

Mr Scott: I have a question for the Solicitor General. It is all coming out slowly. Mr Coleman has now said that he called the minister's office for the minister to put pressure on the police to withdraw. He said that. Inspector Westbrook has said this kind of government interference had never happened before in his career. Let us read some more of what Westbrook says. He says, "I think it is a pretty serious case"—

Interjection.

Mr Scott: The member may laugh, but we are talking about law and order. Here is what Inspector Westbrook says and here is why we want an inquiry, and this is a police officer speaking: "I think it is a pretty serious case when Queen's Park starts interfering with the policing as far as taking sides goes. It is obvious the police were siding with the union in this one." Does that help the Solicitor General come to a conclusion that maybe the committee should examine what happened here?

Hon Mr Farnan: Let me say this: I have tremendous good faith in both Chief Harold Basse of the Waterloo Regional Police and in the board of commissioners of that police service.

If there were any suggestion that anything untoward was happening within that police force, if there were any external influence on that police force, Chief Harold Basse would be the first to straighten this matter out. Chief Basse is on the record as saying there was no influence from my ministry, no attempt to influence. That is the chief, and at this stage that is where it remains.

Mr Scott: We have the opinion of the Solicitor General, but against him we have the expressed intention of the president of the union, which he has given in public, we have Inspector Westbrook against him saying this was Queen's Park interfering and, just to make the record clear,

today a representative of our caucus spoke with the deputy chief of police, Miller, who said it was clearly unusual for the union to contact the Solicitor General's office regarding the strike situation. He felt that—now just a minute.

Interjections.

Mr Speaker: Order. The member for St George-St David has the floor.

Mr Scott: Here is what the deputy chief of the Waterloo Regional Police said. He said the reasons for the contact, in his opinion, could only have been to have the government place political pressure.

We have two senior police officers and the president of the union pointing directly at the Solicitor General. Can the justice committee look at this, or is the minister going to stonewall this second one too?

Hon Mr Farnan: Anybody under the sun can approach my ministry or any other ministry and ask for special favours. That is not what is important. What is important is whether they get those favours, and they get no favours, period.

GEORGIAN LAKELANDS TRAVEL ASSOCIATION

Mr J. Wilson: My question is to the Minister of Tourism and Recreation. The minister should be aware that the Georgian Lakelands board has passed a motion to dissolve the Georgian Lakelands Travel Association, and that motion will be put forward on 5 June at its annual meeting.

In a letter sent to the minister by the president of Georgian Lakelands, the president said, "This decision was not reached lightly, but as the motion indicates, the constraints placed on Georgian Lakelands by the Ministry of Tourism makes it impossible to continue effectively." This travel association does not want to fold, but is being forced to do so because of the unrealistic funding structure of the Ontario travel association program, OTAP.

Can the minister tell this House today what he intends to do to prevent the Georgian Lakelands Travel Association from closing shop?

Hon Mr Laughren: Spend, spend, spend.

Hon Mr North: I appreciate the question that has been put forth. I understand, on the one hand, that they wish us to try and control our spending and, on the other hand, that they would like us to spend, spend, spend. I do not want to use that in any way to somehow get away from what the member is saying, and I appreciate his asking the question about Georgian Lakelands. I will attempt with the ministry to see if there is something that can be done and I will attempt to get the member an answer in the short term.

Mr J. Wilson: I am constantly surprised in this House how little the Minister of Tourism and Recreation knows about his own programs. I would like to inform the Treasurer, who says, "Spend, spend, spend," this is not new money. It is already allocated money. There is a problem with the funding structure.

The minister should know that the Georgian Lakelands Travel Association is comprised of four distinct tourist associations.

Interjection.

Mr J. Wilson: The treasurer will be interested in this, so he should just be quiet for a minute.

These tourist associations raised \$1.6 million from the private sector already. The problem is that the umbrella group, the Georgian Lakelands Travel Association, is required to raise another \$110,000 because the Ministry of Tourism and Recreation will not recognize the \$1.6 million already raised from the private sector.

Why will the minister not recognize this money raised by the four tourist associations? Will he agree today to revise the Ontario travel association program so dollars already allocated under his ministry can have matching funding, can go to meaningful tourism programs, and so Georgian Lakelands will not have to close its doors?

Hon Mr North: Across the province, we have worked with travel associations and we have had a very good relationship with them. I have met with a number of the travel associations just recently. I met with the Southwestern Ontario Travel Association, I met with the James Bay Frontier Travel Association, and the relationship has been good. If the member across the floor suggests that we should have further conversations with travel associations, perhaps it is not a bad idea. I appreciate the suggestion.

1450

LIBRARY BOARD

Mr Waters: My question is addressed to the Minister of Culture and Communications. Last week I received a carbon-copied letter addressed to the minister from a constituent regarding the proposed legislation to dissolve the Mississauga library board. I realize that Mississauga is not in my riding, but what I and many of my constituents are concerned about is how this decision will affect small library boards such as the many dispersed ones in my riding of Muskoka-Georgian Bay and in general the ones in northern Ontario.

Many individuals are concerned that if our government dissolves its dedication to libraries in general, it will discourage reading and promote illiteracy among northern populations who already have limited access. Could the minister outline the purpose of the proposed legislation to abolish the library board of the municipality of Mississauga?

Hon Mr Marchese: I thank the member for the question. The Public Libraries Act requires that libraries be managed by a board appointed for the most part by the municipal councils where they are located. My ministry continues to support the concept of independent library boards. The councils may consider replacing a board with a committee of council through a private bill. To my knowledge, the council of Mississauga is the only council that has come to my attention requesting that a private bill be drawn up by the Attorney General.

Because of the concern over this issue, a concern expressed by many people within libraries, I have asked my parliamentary assistant, the member for Kingston and The Islands, to undertake a consultation process with the library community. I am anticipating a report on that this summer, at which point I will finalize my answer. But at the moment I am not contemplating any legislation that

would make the elimination of boards an easy option for municipalities in general.

Mr Waters: How will this affect northern library boards in townships and municipalities?

Hon Mr Marchese: With respect to northern libraries, representatives from smaller libraries have been in contact with my office. They are being consulted as well as part of this consultation with library people in communities. They have told me how vulnerable they would be, how vulnerable they are to budget cuts and other areas of concern. If the library boards were replaced, we would obviously be very sensitive to those arguments. But any decisions we would take would not jeopardize smaller libraries.

WAGE PROTECTION

Mr Offer: I have a question for the Minister of Labour. All members of the House will be aware of the very serious concerns in the business and entrepreneurial sectors about the extension of liability for wages and benefits to corporate officers as contained in the wage protection legislation.

As well there are very grave concerns about the effect this bill will have on the viability of non-profit corporations such as children's aid societies, co-operatives and others. These groups have made their positions and the reasons for them well known to the minister. On this issue, he must know their position and the reasons for it.

To alleviate their concerns, will the minister today agree to amendments to the bill which would remove officers who are not involved in corporate decision-making and non-profit entities from the legislation?

Hon Mr Mackenzie: The honourable member will know that is the third time I have had that question and the answer to it is the same each time. As soon as we get on with the bill in this Legislature, we are prepared to take a look at the areas of concern the member has outlined.

Mr Offer: These individuals and non-profit corporations have made their concerns well known to the minister. All we ask is for the minister to stand up and make a commitment to them that they would be excluded from the legislation.

If the minister is not ready to take this step, and I do believe he is probably ripping the principle of this legislation out, will he at least ensure that all these groups coming forward will have the opportunity to voice their concerns about the wage protection fund? Will the minister commit today to sending this bill out to public hearings throughout the summer?

Hon Mr Mackenzie: I think once we have gone through the debate in the House here on second reading, the decision will be made as to what is to happen to the bill. At that point in time we will take a look at the arguments that are made to us.

Mrs Caplan: What? You are not going to send them to public hearings?

The Speaker: New question. The member for London North.

Mrs Cunningham: My question is for the Minister of Education.

Mrs Caplan: That is outrageous.

The Speaker: The member for London North has the floor, not the member for Oriole.

Mrs Cunningham: My question is for the member—

Mrs Caplan: Why did you say yes?

The Speaker: Order. The member for Oriole, unfortunately it is not your turn to ask a question.

EDUCATION POLICY

Mrs Cunningham: My question is for the Minister of Education. On 10 May 1991 the minister addressed the London Home and School Association at Oakridge Secondary School. In the opinion of the parents and the teachers and the trustees present, the comments on the subject of destreaming were vague, leaving trustees especially very confused as to the minister's position. Would the minister advise this House when destreaming must be in effect for grade 9 students in Ontario schools?

Hon Mrs Boyd: The previous government had set a deadline of September 1992. By that time the results of the various pilot projects—I believe there are about 65 in place across the province—will not have been known and evaluated appropriately for us to make a unilateral and complete decision that everyone must destream.

There are many boards that are ready to destream now. Some are indicating an interest in doing that this September, and they certainly are able to do that if that is their choice. Many are saying they have been heading for the September 1992 deadline and they feel no reason not to carry on on track. There are others who are very distressed by the whole idea of destreaming, particularly when it is strictly focused at grade 9. They have indicated in their responses to the Transition Years Report as part of the curriculum review that they would like to see some delay.

We have also had representations from a number of teacher groups that are quite concerned about the nature of teaching that is required in destreamed classrooms as opposed to streamed classrooms where they have been taught to teach. There is good reason for us to be concerned that in fact the destreaming initiative may not work unless we are able to put some professional development dollars into helping those teachers cope with destreamed classrooms.

The Speaker: Would the minister conclude her response.

Hon Mrs Boyd: The ministry is basically taking the position that we are prepared to be flexible about the deadline where that is a request from boards, but that we certainly are not backing off from the principle at all. We do believe that destreaming is the route to go, but we think it needs to be supported by the kind of teacher training and by the kind of infrastructure that—

The Speaker: Would the minister conclude her remarks, please.

Hon Mrs Boyd: —is going to make it work.

Mrs Cunningham: Given the response from the minister today, I will conclude, then, that the policy of the government is that if boards request not to destream by September 1992 for the reasons they would provide to the

minister, they will be allowed not to follow the direction of the 1992 destreaming advice that is right now being given to school boards by ministry offices. If this is a clarification we can send out today, then I appreciate that.

I would also say, though, that this debate around destreaming is a very personal one from board to board and from family to family. I think in planning I am not only talking about program. I am talking about funding. I am talking about one-to-one support for students. I am talking about new schools. I am talking about an exodus from other schools. It is important that in fact school boards have very clear policy decisions from this ministry.

The Speaker: And your question?

Mrs Cunningham: Will the minister involve the trustees immediately in the discussions as per her statement today, immediate discussion with the trustees?

1500

Hon Mrs Boyd: I have already had occasion to talk to all the trustee groups and we have discussed this rather thoroughly. They know that from our point of view we are not happy with the set deadline, and when we have talked to the educational councils right across the province we certainly indicated our position of flexibility. We do not want school boards to interpret that as any withdrawal from the principle of destreaming and we are being very clear about that, but we are acknowledging the concerns when the consultation is brought forward.

This member asked a question a few weeks ago that was put forward by the Ontario Teachers' Federation as to whether we wanted to stop and look at where we are going with the whole picture of curriculum review and bring in some of those issues the member mentioned. I indicated at that time that I thought that was an excellent idea and we will indeed be proceeding to do that in the fall.

At that point in time, when we have that overview in terms of that pause time, that whole picture, then it will be appropriate for us to be much clearer about the results of that consultation and exactly how and the timetable. So my message to school boards is that we are being flexible. We will not enforce the September 1992 deadline, but we are still working in that direction and in no way want the boards to stop working in that direction.

ACCESSIBILITY FOR THE DISABLED

Mr Malkowski: This week is National Access Awareness Week and my question is to the Minister of Housing. He made an announcement yesterday regarding changes to the Building Code Act. What changes have been made to improve barrier-free access?

Hon Mr Cooke: I appreciate the question and the importance of the question. The member and the members will be aware that the Building Code Act introduced yesterday has certain changes proposed to the act, and then the code itself, the regulations associated with the act, will also have to have some changes in the future. There were changes made to the code in the fall that were worked on by the previous government and brought in in October, I believe, that made improvements for access to and exiting from the buildings, building dimensions and the dimensions

of rooms and doors and so forth to make buildings more accessible to the physically challenged in the province.

Yesterday's legislation had a section that will enable the province to bring in a code for existing buildings, and we will be able to work in consultation with groups across the province to develop a code for existing buildings which we will have to address as well, the whole issue of access for the physically challenged.

Mr Malkowski: Do these changes provide accessibility in existing buildings, not just for wheelchair access but for all disabled groups? How does the minister propose to deal with this?

Hon Mr Cooke: First of all, we have to pass the legislation and we will want to have a debate and perhaps even hearings on the proposed legislation. After the legislation is passed, our ministry will want to consult with groups in the province as to how to design the regulations associated with the act so that we can bring in access in existing buildings. We will want to consult with groups associated with the physically challenged as well as the private sector in order to strike that appropriate balance necessary to ensure access to existing buildings in the province.

PLANT CLOSURE IN CORBYVILLE

Mr H. O'Neil: My question is to the Minister of Labour. Last Thursday, Corby Distilleries Ltd, located north of Belleville, and I believe in one of the government's ridings, the riding of Prince Edward-Lennox-South Hastings, announced it would be closing its Corbyville bottling and blending facility and laying off approximately 170 people. This distillery has been in Corbyville since before Confederation, a total of approximately 132 years. Many of the workers have been there all their working years and it is part of their history and their lives that is being taken away.

Could the minister point out what he has done and is prepared to do to prevent this terrible loss of jobs in Corbyville?

Hon Mr Mackenzie: I refer that question to the Minister of Industry, Trade and Technology.

Hon Mr Pilkey: It is indeed very regrettable that Corby Distilleries made the decision it has. Hiram Walker will close its sales and regional office and there will be a termination of some 85 employees, 44 of whom are in Ontario. The reasons given by the company for making these adjustments are increased taxation, global competition and a reduced demand as a result of changing lifestyles by its particular clients.

If there is some avenue in which we can assist to change this company's decision, we certainly are available to do that. But to be quite frank and open with the member who asked the question, I believe this is a decision the corporation has made and we do not see a direct way in which to affect it particularly, although we wish there were one.

Mr H. O'Neil: The statement of the Minister of Industry, Trade and Technology reads like he has taken it right from their press release. I guess what I am asking the minister and also the Minister of Labour, because he

would have been the first to demand that something be done about a major closing, is where he got his figure of 85. The number is 170 jobs.

I am asking him not to mouth the press release they put out. I am asking the Minister of Industry, Trade and Technology, along with the Minister of Labour, if he is prepared to call in that company and the union and speak to both of those parties to see if something cannot be done to keep that plant open. What is he going to do?

Hon Mr Pilkey: My understanding is that the officials of the Ministry of Labour have met and are going to see that the appropriate adjustments are made. I am indicating to the questioner that there are market forces that come into play that are the basis of some corporate decisions, and from our perspective this is not a particular instance where government programs can assist. I wish that were the case.

The member who asked the question well knows that we supported companies through the Ontario Development Corp in terms of incentives and loan incentives and other programs where they were deemed to be appropriate and might assist. Due to the change of market conditions and changing lifestyles of the public, it would appear that this is not a particular case in which we can be effective in that sense.

ONTARIO HUMAN RIGHTS COMMISSION

Mr Cousens: My question is to the Minister of Citizenship and minister responsible for race relations. The minister will recall my question of 9 May dealing with the tremendous backlog of cases at the Ontario Human Rights Commission. The minister acknowledged that the backlog was a serious matter and that the new case management system that was initiated "obviously...has not worked."

We are now aware of a report commissioned last year by Commissioner Frazee that says the commission's Toronto west office is plagued by racial tension, overworked staff, poor training and internal strife. However, according to this article, Commissioner Frazee felt the report's findings were no longer accurate.

I would like to ask the minister if she supports the commissioner's view of this report and, second, just how much this consultant's report cost the taxpayers of Ontario given that its findings are no longer relevant.

Hon Ms Ziemba: I am glad the member has raised this question because it is really a very important question. Before being elected on 6 September, I was very shocked when I heard rumours that in those particular offices racism existed and even in the human rights commission, because I did not see the government of the day showing any concern or working on rectifying that situation.

We have come into a situation we have inherited that is very serious. I agree with the member. I was seriously considering all the initiatives we can take. I looked into the situation and all of the reports and saw that some of the recommendations made by the various consultant groups commissioned by the previous government have been initiated and done. But we also felt it was not enough, and that is why we introduced the anti-racism strategy to make sure this would not happen again in any other agency, commission, board or any other ministry. That is why it

was such an important initiative and that is why we decided to make sure we looked at that.

I am not sure of the exact cost of the previous government's consultant's costs, but I can certainly find out and get back to him.

Mr Cousens: The human rights commission's program purpose is "to create at the community level the climate of understanding and mutual respect in which individuals are made to feel equal in dignity and rights." That was given in the estimates summary of 1991-92. In reality, the human rights commission has a base budget of \$12 million a year. It got \$3 million allocated to improve its backlog of cases that the minister says is still not working. It has documented funds from its own report that the staff are overworked, stressed out, do not have proper training and fear racial reprisals.

I ask the minister, how in the world can the Ontario Human Rights Commission create a climate of understanding and mutual respect at the community level for the people of Ontario when it cannot even do this within its own administration? Just where is all the money going over there? Does the minister have another consultant's report under way, and could I please have a copy of it?

Hon Ms Ziemba: Those are very good points. Because the previous government had allocated quite an increase in the OHRC's budget, we felt this year that it was not right to do that, and because throwing more money after the case log had not diminished the case log, in fact had done nothing at all, we felt we were not going to do that. We were going to make sure the OHRC worked within a very good mode and made sure it addressed those issues.

Now, we do not have another consultant's report because I feel we have staff within the bureaucracy who can come back. We had several reports that have been tabled over the last number of years and we can follow through with those recommendations. I do not feel the time has come to spend more money on another consultant, so we are looking at the various consultants' reports that have been done over the vast number of years, 15 years, to see how we can implement those recommendations without costing the taxpayers any more money and keeping within the economic restraints as we must do at this particular time.

1510

MOTION

COMMITTEE SUBSTITUTION

Miss Martel moved that Ms Gigantes be substituted for Mr F. Wilson on the standing committee on administration of justice.

Motion agreed to.

REPORT BY COMMITTEE

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Mr Kormos from the standing committee on resources development presented the committee's report and moved the adoption of its recommendations.

The Speaker: Does the member wish to make a brief statement?

Mr Kormos: I thank the members of the opposition parties who generate such cacophonous applause, notwithstanding their small numbers.

Obviously I was not Chair of this committee; the member for Sarnia was Chair of the committee when it did its deliberations and a number of people from the Conservative Party, the Liberal Party and of course the governing New Democratic Party made significant contributions.

On behalf of the committee, I also want to thank the staff: Harold Brown, the clerk, who made significant contributions, and Lewis Yaeger and Lorraine Luski, both from research, who did a whole lot of hard work.

The report deals with two phenomena here in Ontario: one, the matter of zebra mussels and two, the matter of purple loosestrife. Both of these are matters about which a whole lot of people out there in communities across this province have significant interest. Copies of the report are available in some limited numbers and I invite people to write or call in to obtain copies of that report. It is going to be of particular interest to communities that border on waterways, lakes, rivers, streams. It is also going to be of interest to tourism operators. In addition, the report will be of interest to those people conducting biological or botanical research into those two areas or into similar exotic species.

I also have great anticipation that the government will pay attention to the report and that the Minister of Natural Resources will review its recommendations and give effect to those recommendations, they being sound. Let me tell members something: The problem of zebra mussels did not start on 1 October. It has been around for some chunk of time. It is sad that previous governments never saw fit to deal with it. It fell to this government to conduct an investigation, prepare these recommendations, good recommendations—

Interjections.

Mr Scott: I move that unanimous consent be given to allow the honourable member to continue.

The Speaker: I suppose I should have put a little more stress on the word "brief" when I asked him if he had a brief statement. Has the Chair of the committee completed his brief statement?

On motion by Mr Kormos, the debate was adjourned.

INTRODUCTION OF BILL

MINING AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI SUR LES MINES

Mr Ramsay moved first reading of Bill 113, An Act to amend the Mining Act.

M. Ramsay propose la première lecture du projet de loi 113, Loi portant modification de la Loi sur les mines.

Motion agreed to.

La motion est adoptée.

Mr Ramsay: As I had outlined in my member's statement earlier today, this is a friendly amendment to the new act that will be proclaimed early next week. That is an act that was brought in by our government, and upon looking at the act, we see it is potentially in conflict with the

Provincial Parks Act in that the new Mining Act, in defining what a mineral is, deletes sand and gravel from that definition. In the Provincial Parks Act, sand and gravel are included as minerals. Therefore what this act could allow is the excavation of sand and gravel in provincial parks.

I am sure that this government, and certainly the previous government, would not want to see this action take place. As there is some pressure at the moment to do some excavation of sand and gravel in Sleeping Giant Provincial Park in Thunder Bay, we feel this protection should be placed here now.

1520

ORDERS OF THE DAY

Hon Miss Martel: I would ask for the unanimous consent of the House to deal with all of the health professions bills on second reading together as a package.

The Speaker: We require unanimous consent of the House to deal with certain bills all pertaining to the health professions.

Agreed to.

REGULATED HEALTH PROFESSIONS ACT, 1991

LOI DE 1991 SUR LES PROFESSIONS DE LA SANTÉ RÉGLEMENTÉES

AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY ACT, 1991

LOI DE 1991 SUR LES AUDIOLOGUES ET LES ORTHOPHONISTES

CHIROPODY ACT, 1991

LOI DE 1991 SUR LES PODOLOGUES

CHIROPRACTIC ACT, 1991

LOI DE 1991 SUR LES CHIROPRACTICIENS

DENTAL HYGIENE ACT, 1991

LOI DE 1991 SUR LES HYGIÉNISTES DENTAIRES

DENTAL TECHNOLOGY ACT, 1991

LOI DE 1991 SUR LES TECHNICIENS DENTAIRES

DENTISTRY ACT, 1991

LOI DE 1991 SUR LES DENTISTES

DENTURISM ACT, 1991

LOI DE 1991 SUR LES DENTUROLOGUES

DIETETICS ACT, 1991

LOI DE 1991 SUR LES DIÉTÉTISTES

MASSAGE THERAPY ACT, 1991

LOI DE 1991 SUR LES MASSOTHÉRAPEUTES

MEDICAL LABORATORY TECHNOLOGY ACT, 1991

LOI DE 1991 SUR LES TECHNICIENS DE LABORATOIRE MÉDICAL

MEDICAL RADIATION TECHNOLOGY ACT, 1991

LOI DE 1991 SUR LES TECHNICIENS EN RADIATION MÉDICALE

MEDICINE ACT, 1991

LOI DE 1991 SUR LES MÉDECINS

MIDWIFERY ACT, 1991

LOI DE 1991 SUR LES SAGES-FEMMES

NURSING ACT, 1991

LOI DE 1991 SUR LES
INFIRMIÈRES ET INFIRMIERS

OCCUPATIONAL THERAPY ACT, 1991

LOI DE 1991 SUR LES ERGOTHÉRAPEUTES

OPTICIANRY ACT, 1991

LOI DE 1991 SUR LES OPTICIENS

OPTOMETRY ACT, 1991

LOI DE 1991 SUR LES OPTOMÉTRISTES

PHARMACY ACT, 1991

LOI DE 1991 SUR LES PHARMACIENS

PHYSIOTHERAPY ACT, 1991

LOI DE 1991 SUR LES PHYSIOTHÉRAPEUTES

PSYCHOLOGY ACT, 1991

LOI DE 1991 SUR LES PSYCHOLOGUES

RESPIRATORY THERAPY ACT, 1991

LOI DE 1991 SUR LES INHALOTHÉRAPEUTES

Ms Lankin moved second reading of Bill 43, An Act respecting the regulation of Health Professions and other matters concerning Health Professions; Bill 44, An Act respecting the regulation of the Professions of Audiology and Speech-Language Pathology; Bill 45, An Act respecting the regulation of the Profession of Chiropody; Bill 46, An Act respecting the regulation of the Profession of Chiropractic; Bill 47, An Act respecting the regulation of the Profession of Dental Hygiene; Bill 48, An Act respecting the regulation of the Profession of Dental Technology; Bill 49, An Act respecting the regulation of the Profession of Dentistry; Bill 50, An Act respecting the regulation of the Profession of Denturism; Bill 51, An Act respecting the regulation of the Profession of Dietetics; Bill 52, An Act respecting the regulation of the Profession of Massage Therapy; Bill 53, An Act respecting the regulation of the Profession of Medical Laboratory Technology; Bill 54, An Act respecting the regulation of the Profession of Medical Radiation Technology; Bill 55, An Act respecting the regulation of the Profession of Medicine; Bill 56, An Act respecting the regulation of the Profession of Midwifery; Bill 57, An Act respecting the regulation of the Profession of Nursing; Bill 58, An Act respecting the regulation of the Profession of Occupational Therapy; Bill 59, An Act respecting the regulation of the Profession of Opticianry; Bill 60, An Act respecting the regulation of the Profession of Optometry; Bill 61, An Act respecting the regulation of the Profession of Pharmacy; Bill 62, An Act respecting the regulation of the Profession of Physiotherapy; Bill 63, An Act respecting the regulation of the Profession of Psychology, and Bill 64, An Act respecting the regulation of the Profession of Respiratory Therapy.

M^{me} Lankin propose la deuxième lecture du projet de loi 43, Loi concernant la réglementation des professions de la santé et d'autres questions relatives aux professions de la santé ; projet de loi 44, Loi concernant la réglementation des professions d'audiologue et d'orthophoniste ; projet de loi 45, Loi concernant la réglementation de la profession de podologue ; projet de loi 46, Loi concernant la réglementation de la profession de chiropraticien ; projet de loi 47, Loi concernant la réglementation de la profession d'hygiéniste dentaire ; projet de loi 48, Loi concernant la réglementation de la profession de technicien dentaire ; projet de loi 49, Loi concernant la réglementation de la profession de dentiste ; projet de loi 50, Loi concernant la réglementation de la profession de denturologue ; projet de loi 51, Loi concernant la réglementation de la profession de diététiste ; projet de loi 52, Loi concernant la réglementation de la profession de massothérapeute ; projet de loi 53, Loi concernant la réglementation de la profession de technicien de laboratoire médical ; projet de loi 54, Loi concernant la réglementation de la profession de technicien en radiation médicale ; projet de loi 55, Loi concernant la réglementation de la profession de médecin ; projet de loi 56, Loi concernant la réglementation de la profession de sage-femme ; projet de loi 57, Loi concernant la réglementation de la profession d'infirmière ou d'infirmier ; projet de loi 58, Loi concernant la réglementation de la profession d'ergothérapeute ; projet de loi 59, Loi concernant la réglementation de la profession d'opticien ; projet de loi 60, Loi concernant la réglementation de la profession d'optométriste ; projet de loi 61, Loi concernant la réglementation de la profession de pharmacien ; projet de loi 62, Loi concernant la réglementation de la profession de physiothérapeute ; projet de loi 63, Loi concernant la réglementation de la profession de psychologue ; projet de loi 64, Loi concernant la réglementation de la profession d'inhalothérapeute.

Hon Ms Lankin: I am moving second reading of Bill 43, which is An Act respecting the regulation of Health Professions and other matters concerning Health Professions, and also second reading of Bills 44 to 64, 21 acts respecting the regulation of 24 specific health professions.

Before I carry on, let me take a moment to pay tribute to the former Minister of Health, the member for Ottawa Centre, for her role in introducing this on first reading. May I also take this moment to pay tribute to another former Minister of Health, the member for Oriole, who is here today, who also has played a role with respect to this. May I say that there are probably other former ministers of Health, because in fact the legislative history of this piece of legislation spans three different political parties in government and many years of hard work on behalf of people out there in the community who care about this, people in the Legislature and people in the Ministry of Health, and the staff who are here today who have made a career out of this legislation and are hoping to bring it forward. We are very excited that for the very first time it has actually got to second reading. Let's hope this is an omen and we will be able to carry through.

With this legislation, the public will have, a louder, clearer voice than ever before, on how our health care system operates. Members of the public will work as partners with health care providers on discipline committee

panels and governing councils and regulator colleges to assure Ontarians that the care they receive is of the best quality. I am looking forward to hearing the advice of lay people who will make up the new Health Professions Regulatory Advisory Council.

Health professionals also benefit from this legislation. The closer working relationship between themselves and the public will help to create an environment of understanding and trust between the two. It would appear the trust is in need of rebuilding.

Two days ago, the task force on sexual abuse of patients presented its preliminary report and recommendations to the College of Physicians and Surgeons of Ontario. The council has already carried out the first recommendation by confirming its commitment to the philosophy of zero tolerance of sexual abuse. The Ministry of Health also has a zero tolerance policy for sexual abuse, whether committed by a physician or any other care giver.

Over the coming weeks, we will be studying the task force's recommendations, some of which are addressed to the Ministry of Health and include suggestions for amendments to the Regulated Health Professions Act and procedural code. We will be discussing these recommendations with the task force, with the College of Physicians and Surgeons of Ontario and with other groups. It is our goal to enact a law that will deter sexual abuse, bring abusers to justice and treat victims with greater sensitivity and respect.

The system of how we receive health service is on the verge of extraordinary change in the quality and the choice of services we receive. For the very first time, every regulated profession must have a program to ensure that its members are competent and provide quality care. We can also expect a wider choice of health care services. Eight health professions, all of them predominantly female, are being added to the current list of fully self-regulated professions.

For health professionals, this will mean opportunities to work on teams with other professionals they may never have worked with before and where all members are equally important to the task of keeping patients healthy. The new dialogue will result in learning and growing experiences for health professionals in a health care system that will serve the needs of Ontario's citizens better than ever before.

Among the new choices being offered consumers with this legislation is a choice in how childbirth is conducted. Those who want to be cared for by midwives during pregnancy, labour and delivery will have that option. The inclusion of midwives in this legislative package represents a change in policy direction set by the Ontario Legislature a little more than a century ago. It was in 1865 that midwives lost the exemption from the Medicine Act that had made it possible for them to practice midwifery without a licence to practice medicine.

The Midwifery Act included in this legislative package gives legal recognition to midwives. This reversal in policy is largely due to the efforts of hundreds of individual women and a smaller number of practising midwives who through public education, lobbying and education of other

health professionals demonstrated the need and the consumer demand for midwives. Thanks to them, women will soon have the choice of obtaining care from a midwife, a choice available to women virtually everywhere except in Canada.

It should not have been so difficult for these women to bring about change, and it should not have taken so long. That it did take so long demonstrates the lack of input women and indeed the entire public have had in the health care system. People ought to have a say in the kind of health care they get and how health care is provided to them. With this legislation, which will make future policymaking flexible to change and be responsive to public opinion, it will be possible for their voices to be heard.

As the legislation continues through the legislative process, I would like to extend an invitation to the public and to professional groups in Ontario to take part in the committee hearings that I will ask for after the House debate. I am particularly looking forward to hearing from interested members of the public, since over the years of this legislation's evolution most of the consultations with both my ministry and with previous ministers of Health have been dominated by professional groups. I will be asking the committee to make special efforts to hear from those consumers who wish to make their submissions.

Mr Phillips: I am pleased to participate in the debate on second reading of this important series of bills, and I would just take a moment to congratulate, as well as the minister, all the people who have been involved in getting it to this stage. I think, if I am not mistaken, that eight ministers of Health over three different series of administrations have been involved. I hope the House will not mind if I particularly recognize my colleague the member for Oriole in that this is, as I think we will find out when we get to the public hearings, not an easy matter for a couple of reasons. One is that this issue is extremely important, and people care deeply about it, and second, the various professions have a very major stake in how this legislation is in the final analysis crafted and enacted.

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I particularly want to recognize my colleague, the former minister and the member for Oriole, in that I know to get to this stage required an enormous amount of work, balancing a variety of interests. The bills were introduced for first reading almost exactly a year ago; I think it was 6 June that the previous legislation, which is very similar to what we see before us, was introduced. I know how much effort was involved in getting it there, but I also want to congratulate all the Ministry of Health staff and the various health professionals who have helped shape it to the position it is in now.

As I say, we will find this an extremely important series of bills. It will in a very major way bring the health services into this century, and hopefully will give us a foundation for the next century. It is fair to say that it will indeed provide the public with a substantially improved measure of protection. I think the establishment of the new colleges in a more open process for public participation

will prove to be extremely important and also will enhance public protection.

Also, it is clear to everyone who looks at the health field now that the way health will be delivered in the years ahead is very different than we have seen in the past. There are competent, professional health givers out there who need what this will provide: regulations, the scope of practice and necessary definitions of quality of service and the areas that they can and cannot practise in.

When we look at the series of health providers, these acts will now regulate 24 different professions, each of which provides valuable and important service. This is an important step forward in backing up what all of us believe in, that community-based health care is going to be a cornerstone of our effective health care system in the future.

Health care should not be a dollar-and-cents issue, but none the less I am quick to recognize that our health budget is under stress and strain. The ministers and all of us know it now occupies a third of our provincial budget. It has been growing far more rapidly than the rest of the budget, and that pressure is not going to ease in the years ahead. By the regulation of a broader scope of professions, it will be helpful in managing our health care system.

There can be no mistake that these bills are extremely important for the future health care in the province, and therefore we are pleased that we now have them before us for second reading.

We in the official opposition look forward to a quite extensive debate at the committee stage. As the minister quite correctly pointed out, the public to a very large extent has not been involved in this as yet. We have not heard from consumers, the public, who after all have a stake in this. Indeed, we have not necessarily heard from the rank and file of the health professions. We have heard from the leadership of the health professions, but I think it is important that we hear in committee from the rank and file.

Each of the members in the Legislature, and certainly those members on the committee, will find that while there is no question there is broad support for proceeding with this, we all are going to be inundated—and I think that may be an understatement—with each profession having some suggestions for improvement, and they will be strongly felt because the members will find that each profession believes—thank goodness they believe this—that it is perhaps best able to deal with certain areas and that therefore its scope should be enhanced or expanded.

Make no mistake, we have now reached another stage in this process. But in many respects the hard work will begin, because it will be up to the members on that committee to sift through the various proposals that will come before it, to sort out in the end what makes the most sense for the health of this province and to try and shape the final recommendations that will come back to this House.

It is obvious as well that there will be some unregulated groups who have some concerns. The committee will find that many of the clergy and social workers in the province have already expressed some concerns. It is going to be important for the committee to listen to those concerns and to ensure that particularly those two groups are comforted with the final bills. Certainly it was the

feeling when we looked at the diagnostic section that the clergy and the social workers should not be apprehensive of it. But having said that, they still are. So one of the jobs of the committee will be to listen to those extremely important groups and find a way that they are able to feel comfort with the final product of this work.

We will also find that on the other side are some fairly strongly held feelings that what was called the harm provision, which the minister has indicated it is not her intention to proceed with, causes some of the professions some considerable concern as well, the removal of that harm provision. The minister of the day in her remarks, not today but introducing this at first reading, indicated that it was her feeling that the harm provision was not necessary. That, as the minister will know, is not necessarily shared by everyone. So at the committee we will be looking to ensure that if the harm provision is not there, there are the necessary safeguards for some of the professions that worry about individuals practising in areas they are not competent to practise in.

The areas I wanted to cover I have perhaps covered now, that there is no question that there is broad support for this legislation. There is no question that it is extremely important and that once properly framed and amended as we work our way through it, it will be an extremely important set of laws to guide our health care system in the future.

There is no question that many of the new professions that are going to be regulated under this should be regulated and will benefit from it. The minister mentioned in her remarks that midwives will be regulated. But in addition, I think there are six other groups that previously were not regulated that will be: the dental hygienists, the dietitians, midwives, as I said, occupational therapists, audiologists and speech language people and respiratory technologists.

In addition, we will have for the first time a common set of regulations involving all of the professions. We will have much more broadly publicly based participation in the colleges, which is important. We will have, as I say, a common set of guidelines for each of these professions, and a recognition that there is not a hierarchy of professions. Each of these 24 professions plays an equally important role, some larger than others, some occupying a larger part of the health care budget than others, but each in its own way plays an equally important role.

Therefore, I am looking forward to this heading to the public hearings over the summer months. I hope the committee would also find a way to be travelling the province, to not just focus these hearings in Toronto, because when these laws are finally passed it will, believe me, deeply impact people right across the province.

As the minister said in her opening remarks, I think we have only to look at the report that was presented this week to the College of Physicians and Surgeons of Ontario to see the importance these colleges will play in the future, to see the importance of opening the colleges up to a more public participation and a more public scrutiny.

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As I said earlier, we should and we will anticipate an awful lot of input from the various groups. The members should also anticipate that some of the groups that were not proposed for regulation perhaps will still be looking for that, and that is understandable. The minister in her announcement at first reading dealt with the naturopaths, and that was probably the right move, to have that group looked at and to have the new health professions committee look at how and when those could be regulated. But there will be other groups as well that will no doubt be appearing before the committee. We are fortunate in the amount of work that has already been done in looking at this area. As I say, I think we have now been eight years at it. Mr Schwartz, I believe, did an awful lot of the legwork along with a large input from various staff and various public.

We are now at the stage where we take it to the public, where we can now move it into the field where the consumers can at last have their say in it. So on behalf of the official opposition I look forward to a very lively debate at committee—I think that is the logical place for it to take place—a good exchange and an opportunity to improve the bill, because I can almost guarantee it is not perfect and there are opportunities for improvement. It will be a lot of work, because every group has a major stake in it professionally and in terms of the role they want to play in the future health care of the province.

Having said all of that, it has to be one of the more important things we will deal with. If there is one thing that sets Ontario and indeed Canada apart, it is the quality of our health care system, as all of us know and appreciate. This will provide a very important improvement in the health care of the province. I look forward to seeing this approved at second reading and moving on to the committee stage.

Mr Eves: It is my pleasure on behalf of our party to rise and participate in the second reading debate on what I still—I guess I have been around here too long—refer to as HPLR legislation.

We have supported the regulation of health care professionals and this approach for some period of time; since 1982 to be exact. I think the point the member for Scarborough-Agincourt makes is very well received, that of course the ultimate factor or principle we have to be guided by in terms of this legislation is protection for the public as well as regulation of health care professionals. We obviously have to have some pretty full and deliberate public consultation after second reading of these numerous pieces of legislation to achieve our goal.

It was the Davis government, of course, that introduced the health professions legislation review in 1982. Alan Schwartz was appointed at that point in time to examine Ontario's health care professions legislation and to recommend a new regulatory system which would provide better protection to consumers or to the public, allow consumers more choice from a larger range of health care options that are out there in today's world, and also encourage the most use of the skills that health care providers have and of health resources in the province. I think the comments that

have been made both by the minister and by the member for Scarborough-Agincourt have struck on those factors.

The recommendations of the review called *Striking A New Balance: A Blueprint for Regulation of Ontario's Health Care Professions* were released in January 1989. As the minister has said, I believe, the current statutory regulatory patchwork is certainly not a very consistent set of circumstances at all. Of the 18 health professions that are now regulated by statute, five are governed by a 1925 statute, the *Drugless Practitioners Act*, six by the *Health Disciplines Act*, and seven by six different individual statutes dating as far back as 1944, hardly, I think, what we would consider a very satisfactory state of affairs in the health care system in the province today in 1991.

I think that, of course, now we have reached the stage of our deliberations where it is time that the public receive the opportunity to exercise a freedom of choice within the health care system that has a range of safe options for all members of the public. We certainly are interested in working together with the other two parties in the Legislature and interested parties from various health care professions and members of the public through the committee process to ensure that the legislation meets the goal we want it to meet.

I think it might be a little helpful if we talked a little bit about the patchwork system that exists today, how we got to where we are, and hopefully where we want to go and how we want to get there.

As I said, currently eight different statutes regulate 18 health care professions. This new legislation will bring forward 24 health care professions into a uniform regulatory system, including seven professions that are currently unregulated: audiologists, dietitians, medical laboratory technologists, midwives, occupational therapists, respiratory technologists and speech language pathologists. Four, as I have indicated, are regulated by the *Drugless Practitioners Act* of 1925: chiropractors, massage therapists, osteopaths and physiotherapists. Seven are now regulated by individual statutes and there are six that are currently regulated by the *Health Disciplines Act*.

Under the new legislation it is proposed that each profession will have a college which will govern the profession in accordance with its health professional's act and the health professions procedural code. The bill provides that potentially harmful health care activities, known as controlled acts, may only be performed by appropriate, regulated health care professionals. The controlled acts are set out in, I believe, subsection 26(2) of the legislation.

There are some exceptions to the controlled acts that are set out, and further exceptions can be prescribed by regulation. The act restricts the use of the title "doctor," in the course of providing health care, to chiropractors, dentists, optometrists, physicians and psychologists. Controlled acts that each health care profession is authorized to perform are set out in the *Health Professions Act*. There are 13 categories of controlled acts.

The act establishes a Health Professions Regulatory Advisory Council to provide advice to the Minister of Health on matters concerning the regulation of any health profession. The Health Professions Regulatory Advisory

Council will be composed of persons who are not health professionals. The Health Disciplines Board is to be continued as the Health Professions Board with an expanded membership.

Procedural code is set out by schedule. It contains the main structural and procedural elements of the regulatory system, including registration, complaints, discipline and incapacity procedures in college bylaw and regulation-making authority. The procedural code requires the council of every regulatory college to establish a quality assurance program within three years of proclamation of each health professional act.

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The bill is accompanied by 22 individual acts covering health professions to be regulated. Some are grouped together under one piece of legislation. These acts, as proposed, outline but do not license the profession's scope of practice, its authorized controlled acts and composition of its councils and committees.

As I indicated, the current statutory patchwork offers no uniform system of regulatory control and is difficult, at best, to update. There has been considerable pressure to change the existing regulatory framework, both from members of the public who lack confidence in the current complaints and disciplinary processes and from regulated and unregulated professions which realize that the system is awkward, at best.

In 1982 the health professions legislation review was created to examine Ontario's health care professions legislation and to recommend a new regulatory system which would provide better protection of the public and consumers, allow consumers more choice from a larger range of safe health care options, and encourage efficient use.

The following criteria were used to select the professions which were to be regulated, and this is still a subject matter of some contention out there. I believe there were 75 groups, if my memory serves me correctly, which sought to be recognized as health care professional groups, and only some 24 are being brought in under this umbrella legislation that we are talking about today. I am sure we will hear from some of the others during the course of our committee deliberations because we have heard from them for some months if not years now in some cases. I can speak from personal experience about that.

The following criteria were used to select professions to be regulated, and I think perhaps it is important that some of these groups out there and members of the public understand this: (1) Responsibility for the profession falls within the mandate of the Ministry of Health; (2) regulation is necessary because the profession's activities pose a risk of harm to patients, the profession's members are not supervised by another regulated profession, or there is no other mechanism to regulate the profession; (3) the profession has a body of knowledge that can form the basis for standards of practice; and (4) the profession is able to regulate itself, in that its leaders are able to favour public interest over professional self-interest, its members will comply with professional standards and rules, and its members are willing to bear the cost of self-regulation.

The previous government introduced this act and accompanying pieces of legislation into the Legislative Assembly on 6 June 1990, as has been stated by the member for Scarborough-Agincourt. The most noticeable difference between the health professions legislation introduced by the current government and that by the former government, I think it is fair to say, is the title. The Health Professions Regulation Act, as it was referred to by the previous government, is now called the Regulated Health Professions Act by the current government.

The former Minister of Health claimed that amendments would be enacted to increase public membership on governing councils when the legislation was introduced. One question I have is why these feature amendments were not included in the legislation that is being tabled here this afternoon, seeing that obviously the government decided some weeks if not months ago that there was going to be its intention.

The only other question I have, I would say at the outset, about the legislation is why the government has not taken the initiative to include naturopaths in this legislation being tabled today. There was some talk about this under the previous government and it just was not ready to proceed, but we are here now today one year later almost to the day, within a week of one year later, from when this legislation was introduced by the former government, and I would have thought that one year would have been more than enough time to include naturopaths in the legislation. As it stands now, the advisory council will give advice on its scope of practice and any controlled acts after the legislation is passed.

Another aspect that I do not think we have really touched upon is the financial impact of the legislation. While that is certainly not first and foremost with respect to provision of health care in the province, it is at least a concern. So far I have not seen any estimates as to what it is going to cost to implement the legislation. The advisory council is apparently going to be a continuous committee, and we would ask that the government provide the Legislature with details as to what this continuous committee activity is going to cost and whether or not indeed it is going to be necessary for the committee to be continuous. It is also going to incur some costs, of course, with respect to those professions, to establish regulatory colleges along with regulation complaints, discipline and incapacity procedures.

We look forward to working with all interested groups throughout the committee process to hear any concerns with respect to this very significant legislation. A number of groups have already expressed concern with the controlled acts, in that some are not listed in enough detail.

There are still a number of so-called turf battles going on that are causing health care providers considerable concern, not to mention members of the public. A number of unregulated practitioners have raised a number of points over the past year, and valid points, I think. They are not certain that the legislation is not intended to prevent alternative and unregulated health providers from practising, so I think we have to address those matters, and I am sure that we will be able to do that during the committee process.

There were two particular clauses, as I can recall, that these health care providers, some of whom have formed a coalition of unregulated practitioners, had some problems with, as I understand it. One was the harm clause, which was talked about. To be fair to the government and to be fair to the minister and the people in the Ministry of Health, I think that some of these unregulated practitioners have changed their minds a couple of times with respect to the harm clause. Initially there was some pressure brought to bear that the harm clause be removed. That has been done. Now there is some pressure being brought to bear, because I think they have sought legal advice in some cases and seem to be getting input back that without a harm clause they may be worse off legally than they would have been with a harm clause, and perhaps they would like to see a restructured harm clause reinserted in the act, if anybody can dream up valid enough and practical enough and legal enough wording—

Ms Gigantes: Good luck.

Mr Eves: One former minister says “No one,” and I am sure that—

Ms Gigantes: I said “Good luck.”

Mr Eves: Good luck. That is almost the same thing, and that may well be the case.

The other clause is the diagnostic or diagnosis clause, and this coalition of unregulated practitioners has at least talked to me—and I am sure that they have expressed these same concerns to the minister, previous ministers and Health critics present—that they would prefer to see the diagnosis clause in some more, I guess, exact or specific definition with respect to each of the regulated health care professions. Whether or not that is within the realm of practical possibility and working out, I do not know, but I am sure we will hear more of that concern during the committee deliberation process.

Nurses are rightly concerned that their controlled acts do not cover all of their duties in emergency situations and remote settings.

A number of professions have expressed concern with the restriction of the use of the title “doctor.”

There are also possible problems if a college and an arbitration hearing come up with conflicting judgements or decisions.

Dentists are concerned that the controlled act regarding the use of prescribed forms of energy has not been extended to their profession, as laser treatment is now quite common. They have also asserted that the design and construction of dental devices should be a controlled act within the legislation.

Retail optical outlets are concerned that without a definition of “dispensing” there is no certainty as to what the government intends to control and therefore is to be limited to the professions of opticians and what is permitted to be done by their unregulated assistants.

A number of these concerns have been raised, and I think it is very important that all interested groups will now have an opportunity to make their viewpoint known and talked about during committee deliberations. I am sure that we on this side of the House, in our party, and from

listening to the member for Scarborough-Agincourt and the minister before me, can work together in a constructive atmosphere to take this first step with respect to regulation of health care professionals, all health care professionals, in the province and help in our own small way to make the health care system in the province a somewhat more efficient and responsive regulation process than it is today.

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Hon Ms Lankin: Just in response, briefly, I appreciate the comments of support. In fact, I feel fortunate, as a minister bringing forward her first bill for second reading, that there is three-party support. I think that is because it has been around for 10 years and it has been through three parties' administrations.

Just a couple of comments. With respect to the naturopaths, I understand the comment the member made, but as I understand the history of this, there was not an agreement that came out of the review with respect to the scope of practice for that professional group, and there needs to be an objective review of that. The advisory council is a place where that can take place once the legislation is in place. There has not been the opportunity for that objective review to take place since the tabling of the review itself.

The member mentioned the amendments regarding the numbers, and why did we not bring them forward at this point in time? We have not had a chance to actually consult with the colleges in order to rework the numbers, and what we want to do is make sure we have the confidence of the colleges that the numbers will be workable and the balance will be workable, but we are committed to bringing those forward and, through the committee process, to ensuring that we have a full debate about that enhanced role for the public.

Also, with respect to the costs of the advisory council, I will undertake to have those numbers available for discussion when we move to committee on this; as much as can be predicted, of course, at this point in time. I think it is important to know that there is going to be value to the system and it will make the cost worth while. I think the member for Scarborough-Agincourt spoke to that in his remarks with respect to our ability to have flexibility in the delivery of health care services. This legislation removes barriers to that in many ways, so some of the costs will be cost avoidances, and the improved health care delivery will be difficult to quantify, but to the best of our ability I will try and have those numbers available for the committee to look at.

The Deputy Speaker: The member for Parry Sound, you have two minutes to reply, if you so wish.

Mr Eves: I do not think I will require two minutes, Mr Speaker. I thank the minister for her comments. The only point of contention or disagreement, if you want to even call it that—I would not go so far as to call it that—is that I think the naturopaths feel that during the past year perhaps something could have been done. Perhaps that is water under the bridge. I do appreciate the fact that there was an event that took place in the province last 6 September. Events do change and sometimes ministers change.

I hope their concerns will be seriously addressed, because I think they have to be.

Mr Owens: I am pleased to stand in the House today to speak on the Regulated Health Professions Act. This very important piece of legislation will accomplish two goals: (1) it will open up what to date has been a very rigid and hierarchical process and system of health care delivery; (2) it will provide a high level of consumer protection and public accountability.

This issue has been around the government and successive governments since 1982, when a review body, the health professions legislation review, was set up to recommend ways of providing better consumer protection, to give consumers a wider range of services to choose from and to encourage the efficient use of the skills which health care providers possess. This group was led by Alan Schwartz, who is now considered to be the father of this legislation.

There are currently 18 health professions that are regulated by eight different acts. Some of these acts date back as far as 1944. The way in which our consumers choose their medical practitioners has certainly changed since that time. This system is clearly outdated and badly in need of reform.

Reformation will take place by adding seven new professions—audiology, medical laboratory technologists, occupational therapists, midwives, respiratory therapists and speech-language pathologists—and placing all regulated professions under one umbrella piece of legislation. Naturopaths, which the member for Parry Sound was just referring to, will continue to be regulated under current legislation until their scope of practice can be set out. Once this has been accomplished, then they will have their own act under the Regulated Health Professions Act.

One of the most important goals of this legislation is one that I addressed earlier. That is public accountability. We are seeking to find a balance between the independence of trained professionals and accountability which consumers badly need.

Accountability will be increased in the following manner: raising the number of public members on councils and committees; opening up of discipline hearings and complaint reviews to the public; giving greater public access to college registers; requiring colleges to file annual reports with the Ministry of Health and, finally, publication of disciplinary decisions and the reasons for those decisions.

Through the implementation of changes such as these, those people who have provided an excellent standard of care will be able to continue to do so with more freedom and with professional recognition of their years of training and hard work.

In my past life, prior to my election to this House, I was employed at the Toronto General Hospital, now known as the Toronto Hospital Corp. During this time I had the pleasure of working with two of the groups that will now be given professional recognition—medical laboratory technologists and respiratory therapists. These two professions require their members to undergo rigorous academic and clinical training before they are allowed to go near a patient. Further, once these folks have earned their

professional designations, continuing education is provided through groups such as the Canadian Society of Laboratory Technologists and the Canadian Society of Respiratory Therapists.

Medical laboratory technologists, among others, will have their own college and council to regulate their standards of practice. There will also be a complaints committee, a discipline committee, a fitness-to-practise committee and a quality assurance committee. There will be not only practitioners on these committees but also consumers. It will be the presence of these consumers, working in conjunction with the practitioners, that will ensure a continuing standard of excellence.

The final issue I would like to address is that this legislation will also give women choices with respect to who attends the birth of their children. Women will now have the legal choice to have a midwife in attendance, rather than having to follow traditional methods. Women will no longer have to place another person in potential legal jeopardy by having a midwife in attendance at the birth of their child.

Further, this legislation will recognize the important role women play in health care. Most practitioners in these seven newly regulated professions are women, and it is time to recognize their contributions to health care and the excellence of practice.

To summarize, this legislation will provide enhanced consumer protection and public accountability, as well as provide consumers with a wider range of health care services. I look forward to the public hearings. I look forward to working with the member for Scarborough-Agincourt and whoever the person from the third party sitting on the standing committee for social development will be during these hearings.

I further look forward to visiting the four corners of the province, where the consultations will be carried out with consumers and the health care providers. I would like to take this opportunity to thank our minister, the member for Beaches-Woodbine, for introducing this legislation, and also a tip of the hat to the member for Ottawa Centre for bringing forward this legislation earlier in the legislative session.

1610

Mrs Caplan: I am very pleased to rise and participate in this debate. I had the opportunity of reviewing Hansard of 6 June 1990. It has been alluded to before in the discussions today, and I wanted to thank the Minister of Health for her kind comments, as well as my colleague, our critic, the member for Scarborough-Agincourt, for his very kind comments about my participation in this legislation.

I thought, if I might, I would take this opportunity to make some comments, some of which will be similar to that which I said in June 1990 and others which were unsaid. I realize that this may be the only opportunity I have to comment on this piece of legislation. I have the unique experience of having put in, as Minister of Health, some 350 hours of meeting time and discussion over the course of three years with the groups and individuals with interests in this, as well as working with a very fine cadre

of ministry officials who had been working on this for a very extended period of time.

As Chairman of the standing committee on social development—it will be that committee over the course of the next few months that will be scrutinizing the bill—it will be my role to see that this committee is conducted in a fair, impartial manner so that all can be heard in the proper parliamentary procedures. I do not intend to actively participate in the debate at committee, so with everyone's indulgence, I would like to take a few minutes now and perhaps even do a little bit of musing.

Yes, this review of Ontario health professions began almost a decade ago. It was in 1982 that the then Minister of Health, Larry Grossman, the member at the time for St Andrew-St Patrick, commissioned Alan Schwartz to begin the review. The story I heard about why that review began was that Mr Grossman, as Minister of Health, was spending upwards of 40% of his time attempting to arbitrate, meet with and discuss the real, serious issues, that were intraprofessional, as well as profession-specific.

It seemed that all of the professions at that time, as well as the public, who wanted to see a more open process, greater public accountability, more consumer protection, that everyone at that time in 1982 had dissatisfaction with the regulatory regime for the self-governing and self-regulating of Ontario health professions. So the minister at the time, Mr Grossman, commissioned Mr Schwartz, gave him a very clear mandate and said to him that he would like a report in 18 months, because he was anxious to see this resolved.

That was the story I was aware of as, some eight years after that, I was confronted with the Schwartz review, and it was to myself that the final report was delivered. Here we are, and it will be a full decade before this legislation is actually proclaimed, a full 10 years after the review was begun in 1982.

It is, I believe, unique in the fact that it was as extensive and as consultative as it was, and what we see before us in an extensive, complex and extremely interesting package of legislation is, I think, an example of the kind of consensus that can be achieved when all of the special interests involved believe that something will happen if they do not participate.

I was very pleased to have had the opportunity, at a meeting of Interhealth, to ask each and every one of the groups present, those that were being included in this package of legislation, if they thought the legislation should move forward with all of its imperfections, because everyone agreed that in fact he had concerns about the legislation. It was not just a consensus but unanimous that the package should move forward into the legislative process after a decade of debate and discussion between the professions and with a succession of now eight ministers of Health.

So here we are. I believe this is the primary view that has been expressed by the minister, and that is protection of the public in the provision of health services, as well as to create an environment among the health professions which will allow them to work together as co-operatively as possible, to ensure that the professions are accountable

to the public fully, that consumers have greater choice, that people will be able to decide on the basis of knowledge who can provide what services and how those services can then be accessed in Ontario.

That the professions will be held accountable through their governing councils I think is an extremely important part of this legislation. People have been asking for more open investigative and disciplinary processes within those governing bodies, and the one thing that occurred to me over the three years that I served as Minister of Health was how little the people of Ontario, the consumers, understood how the professions governed themselves, how few people understood the process of self-governing and self-regulating.

I would say to the minister and to the government that this is, I believe, also a time of real opportunity. In her opening comments the minister said she hoped the consumers would come forward to the committee and participate in the discussion and the debates. I would say to her that the consumer associations have been very active over the years in advocating for consumer interests.

The concern I have is that there is a great need for public education. There is a great opportunity now for this government to show leadership, to see that this information is provided to consumers, so that there can be the balance of different interests. In fact, it is interesting to note that Mr Schwartz's report was called *Striking A New Balance* and that the balance of interests between the rights of the individual professional, the rights of the professions and the rights of the consumer is really the essence of what this legislation is all about.

The legislation has gone through numerous name changes and I think that is significant. At the beginning it was called the health professions legislation review, referred to as HPLR for a long time. When the acts were tabled almost a year ago now, the package was called the Health Professions Regulation Act, HPRA. I found it quite significant. I would like people to think about this, particularly as we go through committee hearings and because what is proposed is framework legislation for self-regulating and self-governing health professions in the province of Ontario.

The name change to the Regulated Health Professions Act is very significant and could add confusion to the public mind and suggest to the public that in fact we do not have a self-regulating framework, and a self-governing framework but we have a framework potentially being developed which could lead to far more government intervention and government intrusion than has been proposed.

I am concerned about that because of the philosophy of the governing party, which has always opposed a self-regulating and self-governing professional framework. I am pleased that this is moving forward in a self-regulating, self-governing framework model which has been developed over a period of 10 years, but I am concerned that the name change to the Regulated Health Professions Act signals a change in the status and the relationship of the professions with the government.

I want that on the record and I hope that as the debate continues there will be some assurance that what is

intended is a self-regulating, self-governing model so that the public of Ontario will know that is the professional status that is being accorded to the professions, and that the professions as self-governing, self-regulating bodies will then stand publicly accountable and discipline their members and the professional status that has been accorded to them will be because of their ability to convince the government and the health professions advisory body that they are competent to deliver services, that they are mature enough to be able to be a self-governing and self-regulating body.

The next point I would like to make is that the other thing this legislative framework does is it achieves equality among the professions. I think that is a very important point that should not be overlooked.

I wanted to say that the primary goal of this legislation is to better serve and protect the public interest. Including for the very first time in a piece of legislation the obligation for the professions to engage in quality assurance, ongoing competency and mandatory continuing education is one of the most positive aspects of this bill and the aspect of the bill that will ensure public protection when individuals are making informed choices about accessing professionals to provide health services.

As I said, the level of consensus among the professions, often called the stakeholders, is remarkable. I believe there is a real need for the public to more fully understand what is being proposed and I would urge the minister and the government to ensure that this opportunity for extensive public hearings and public education is not lost.

1620

I am not going to go into any of the specifics of the pieces of legislation. My colleague our Health critic has done a very able and excellent job. I worked very closely with the Health critic from the Conservative Party and his knowledge of the legislation is also excellent. Both critics in fact raise a couple of issues that I would like to comment on in the time I have available to me.

I believe there are some who have concerns about this legislation, and those concerns should be fully debated at the committee. I said on 6 June that it was not our intention to in any way impede the important work of social workers or clergy or other unregulated health professionals from carrying on their important work. I believe that this legislation, through the committee process, can ensure that in fact the legitimate work they do is not impeded.

It was my view that the harm clause or the basket clause could have been reworked at committee so that we could have had that balance to give comfort. I know the former minister said that would be deleted. I think there will be a lot of discussion around that. I know my colleague the member for Scarborough-Agincourt, our Health critic, has pointed out that there is a great debate raging on whether or not there should be a harm clause and whether it is possible to achieve one in the legislation that would satisfy the public interest. I was confident that it was possible and I hope the minister will look very seriously at what everyone has to say about this during the discussions.

I think much can also be achieved that is in the public interest and yet, through appropriate exemption, give comfort to those who have concerns. I hope that during the committee process the minister will, on the record, make commitments as to what exemptions will be put forward. For example, just one that comes to mind is acupuncture, for which it will be necessary to formulate a regulation. I think it will be important for those kinds of issues to be fully discussed at the committee as well.

Similarly, there is concern by some in the disabled community that personal care attendants not be impacted by some of the controlled acts. We made that commitment and I am sure the new minister will follow through on that. I think it is important that the disabled community take comfort that this act is to give consumers more choice to receive competent care. It was our facility that health professionals should be able to provide services which they are well trained, educated and competent to deliver. We also do not believe that this act should be a barrier to anyone accessing services from someone who is competent to be able to deliver the services. I think that stands as a general principle.

I would comment, again, that there are some principles that should be restated. I think there is a real opportunity for greater public participation. Mr Schwartz had recommended that the governing councils, the colleges, have one third public members. I hope there will be some debate over what the change in that balance will mean.

Ultimately what is important in the public interest will be the accountability by the professions, by the professionals, to the public, and for them to understand fully that this framework legislation empowers the professions to act in the public interest. It grants status. It grants, in some cases, economic monopoly. That is why there are very many often-referred-to turf issues between the professions. There are interprofessional rivalries which we will hear when we come before committee. I do not think anyone will believe that he has everything he wants. When I say everyone, I am talking about the professions that are impacted by this legislation. It is my hope that we will always remember, as we go through the debate and the discussion of this historic package of legislation, that the primary and overriding interest must always be the public interest. I believe that is possible.

I cannot stress enough the need for public education if the public interest is to be given the supremacy that it should have.

I want to thank all of those people who have spoken to this point, and I know that when I thank them I thank them because all the debate has been so positive. I think there are many features of this bill which will generate some very heated debate, and I think that is appropriate. As I said, it seemed to me today that this would be the only opportunity I would have, not to criticize the bill but to put on the record some of the concerns that I have and to also express the fact that I am looking forward to the committee hearings as Chairman of the committee.

I will pledge at this time, as someone who has such an interest in this package of legislation because of the work in the past, to do the very best I can to ensure that all

interested persons fairly have an opportunity to be heard. I hope that the public hearings will be extensive. Further, I predict that this package of legislation will be living legislation, that it will not be perfect at any point through the legislative process simply by the very nature of being landmark and new.

My advice to the minister is to expect, as soon as it is passed, to have requests for changes, amendments and regulations. I think that is appropriate. I think it is also appropriate, given the fact that there have been three governments, three parties and eight ministers who have all looked at this. In my musings I can tell members that each new minister who arrived would probably have said what I said, and that is, "Why would I want to do this now when there are so many other things that I might want to do instead?" Each one would look at it as I did to see that this was significant work, significant energy, the kind of principles that would in fact enhance the delivery of health services, not just enhancing professional interest, but enhancing the public interest, that this work was worthy and deserving of the heated debate, the discussion, the energy that it will require.

I wish the minister good luck. She is not going to have an easy time of this one. There are many, many interests at stake, but I do believe that we will see the successful completion of this bill in a timely manner.

1630

Mrs Witmer: It is with a great deal of pleasure that I speak to this bill today. Before I begin, I would like to express my sincere appreciation to all those people who have for the past 10 years been involved with this legislation. I would like to pay particular tribute today to the Minister of Health, who is here with us, for the leadership she has provided and also express my appreciation to the former ministers of Health, the member for Ottawa Centre and the member for Oriole, for the work they have done.

As has been pointed out, our party has supported regulation of health professionals to ensure public protection for almost a decade. It was the Davis government that initiated the health professions legislation review committee in 1982. This bill has certainly had a very long gestation period. However, it is obvious that there is a significant amount of consensus, because all three parties have continued with the review and it has been able to survive three separate governments.

The 1982 health professions legislation review that was created by the Ontario PC Party was created to examine Ontario's health professions legislation and it was to recommend a new regulatory system. The goals were this: At that time, the PC Party wanted to broaden the access to health care, it wanted to provide better protection for consumers; it wanted to allow consumers more choice from a large range of safe health care options and it wanted to encourage the most efficient possible use of the skills of the health providers and of health resources. We were certainly pleased that the recommendations of this 1982 review were finally released in January 1989.

1630

This new bill is going to bring 24 health professions, with all of the responsibilities that are inherent to a profession, into a uniform regulatory system, including seven professions that are currently unregulated.

Our party is very committed to working with all of these interested parties through the committee process to ensure that this legislation does indeed give the public the opportunity to exercise freedom of choice of health care providers within a range of safe options. I was very pleased to hear the minister say today that she was looking forward to this bill going to committee for full public consultation. That is certainly necessary. It has taken 10 years to bring it this far, and I am sure that each one of us here in the House has been receiving phone calls and visits from people in our community and in the province who certainly have a vested interest in this new bill.

In looking at the new legislation, the only noticeable difference that I did see was the change in the title between that introduced by the NDP and the Liberals. However, one of the concerns that has been brought to my attention is that people such as naturopaths, psychologists and social workers are disappointed because they were not included in the legislation.

I would like also to share at this time some of the other concerns that have been expressed to me about the proposed legislation, and I would like to stress again the importance of all of these people with concerns at some time participating in the committee process so that they can share their concerns.

As has been pointed out, this legislation is going to have a very significant financial impact and it is going to be extremely important that the government does provide us with some estimates as to what it is going to cost, because the public does have the right to know how much more it is going to be paying for health care in this province.

There is also some concern about the cost for the professions to establish the regulatory colleges, along with registration, complaints, discipline and incapacity procedures.

Nurses have expressed their concern to me that their controlled acts do not cover all of their duties in emergency situations and remote settings.

A number of professions have expressed their concern with the restriction of the title "doctor."

There has also been a concern expressed that problems could arise if a college and an arbitration hearing come up with conflicting judgements.

As has been pointed out by the member for Parry Sound, dentists are concerned that the controlled act regarding the use of prescribed forms of energy has not been extended to their profession, since laser treatment is now quite common.

There is also some concern about the definition of a controlled act. I have received several letters from my constituents regarding Bill 44, which makes it illegal for a consumer to obtain a hearing aid from a dispenser without a prescription from an audiologist. It is important to note that there are less than 150 audiologists in this province. Unfortunately, it appears that this legislation could eliminate

access and choice for consumers, especially those people in rural and isolated communities where alternative services do not exist.

Psychologists are very concerned that they are not included in the legislation. They feel it is important that they be so for the protection of the public.

However, my greatest disappointment with the legislation is that social workers have been left out. Ontario lags behind all other provinces in not regulating its social workers. Presently the public has no formal assurance a social worker is competent or qualified. Very obviously, social workers should be regulated, just as midwives and other groups will be.

I would like to quote from a recent editorial in the *Toronto Star*: "For a number of years, the Ontario College of Certified Social Workers, which has no legal authority over its voluntary members, has been calling for regulation and a college to set licensing standards. As it is, anyone can call himself or herself a social worker, hang up a shingle and go into business. This has led to abuse throughout this province." I have certainly seen examples of this in my own community. "The public deserves protection, and that can only be accomplished by the regulation of qualified social workers."

These are some of the concerns that have been expressed to me. I hope that these individuals who have expressed the concerns will have the opportunity to share them with the committee.

Also, although this bill does provide for significantly more openness on the part of health professions and for far greater involvement in health care decision-making, it is extremely important to remember that an appropriate balance be struck and that we continue to protect the public from harm. I hope this balance will be accomplished by this bill.

It is important to remember that there are still certain matters upon which we need the perspective of the professions, and we should insist that they continue to have this responsibility. It is the professionals who have the specific training, skill, knowledge and experience that they use in the interest of others.

In conclusion, I would like to express my very strong support for full and widespread public consultation. It is extremely important that the professions and the public have an opportunity for input so that a fair balance can be struck. However, I hope that not only will there be consultation but that the ministry will receive and act on the advice and the concerns received and that changes and amendments will be included. It is only in this way that we can provide for the people in this province the best possible health care.

Hon Ms Lankin: Very briefly, I just want to correct the record to say that in fact psychologists are included in this legislation, if members will look at Bill 63, An act respecting the regulation of the Profession of Psychology.

With respect to social workers, the member may be aware that the profession has had ongoing discussions with the Ministry of Community and Social Services and that those discussions will continue there, as opposed to in the health care field in the health regulations.

Last, just with respect to the member's comments, I appreciate her supportive comments with respect to the legislation. With respect to her comments about concerns on consultation in the committee process, I have indicated, and I think she has heard from all of the speakers, that all of us, and the Chair of the committee, I appreciate, have a real stake in making sure that this legislation is well aired through that committee process and that people have a real say in it. We are particularly concerned that the consumers have an opportunity to have input in this discussion and we will be asking the committee to take special efforts to make sure their voices are heard.

Ms Gigantes: I will be brief. I want to comment on only one element of the legislation that is before us today. That is the act which will regulate midwifery. I would like to express my personal delight that this legislation is finally moving ahead. It may not be the most important as we look at the overall legislation and the number of regulatory acts. In fact, the whole scope of the legislation really proposes a new way of dealing with the regulation of health professions in Ontario which is in and of itself very important for the future of health care. However, for me personally, and I believe for thousands and thousands of women in Ontario, the introduction of self-regulation and the acknowledgement and recognition which the legislation will give to the profession of midwifery is of overwhelming significance.

I think it is also fair to say that probably historically in the development of the legislation now before us, the pressure built up by women in Ontario on behalf of recognition for midwifery as a health service has been part of the reason why we have the overall legislation. Consumers, the women who give birth to children in this province, were not satisfied with the options which were available over recent decades for the delivery of children.

1640

It is interesting to note that one of my colleagues, the member for Scarborough Centre, referred earlier to the traditional methods of giving birth. In fact, the methods that we have all known over the last few decades, which are quite medicalized, are not the traditional methods at all. The traditional methods are ones which employ midwifery services of one kind or another and which have been known throughout the world and have been known for long periods of time, even within our own cultural traditions. It is only in the relatively recent past, in terms of decades or a century, that the process of giving birth to a child has become such a hospitalized, such a medicalized business.

In fact, I think it is important for us to acknowledge that there is such a thing as overmedicalization. There is such a thing as a surfeit of medicalization when it comes to such very natural kinds of physical acts as the bearing of children. I think the medical profession itself will now acknowledge that the desire and the fight expressed by women over the last several years to have midwifery once again established, recognized, acknowledged and self-governed, put within a process of an educated system which will make sure that we have high-quality service—I think

even medical practitioners in Ontario recognize now, and with good grace, that the profession of midwifery should be recognized now and, in fact, should have been many years back.

I would like to add a personal note in talking about how I learned, first, how important it is for women to be able to make choices around childbirth. My own mother and father married at a relatively late age. They were 30 when they got married, and mother became pregnant two years later. She ended up having four children. Her fourth was born when she was 47. It was a struggle through three of those births to find a setting in which she could give birth in the way she wanted. She wanted to give birth without anaesthetic and it was not until her fourth pregnancy and her 47th year of age that she was permitted to give birth without anaesthetic.

I remember very well—because I was 13, almost 14, at the time—the intense joy and the intense pride she felt as she went through that birth. It was the birth of the only boy among the four children which, of course, gave rise to a certain amount of joy, too, but she was so pleased to have gone through the birth consciously. She had not been permitted that option in the other three births and she very much resented that. I think it would be fair to say that she felt bitter about it, and I, as a teenager, was enormously impressed by the fact that it had taken her so long and so much struggle and effort to be able to give birth the way she wanted.

From that time forward, I became conscious of the fact that for hundreds of thousands, for millions of women, in North America, in particular, the options around how to deliver children have been extremely limited for, many decades. It has been, I think, an injustice for women. I think that what we do in this legislation as we acknowledge midwifery and provide the mechanisms so that high-quality midwifery services will be available to those women who choose to use them, is to move towards justice for women in an area of their lives which is of enormous intimacy and enormous importance.

Mrs Caplan: I am really delighted that the member for Ottawa Centre raised the issue of midwifery. I do not think, as we discuss this package of legislation and the fact that it evolved over a period of 10 years and there were eight ministers, that there is anyone in this House who would not acknowledge that when it came to midwifery, a former minister who is in this House today really deserves great thanks. That is the member for Bruce. I remember the pride I felt as a member of the government caucus on the day he announced that midwifery would be a legalized profession in the province of Ontario. Without his efforts—and he is here today—I do not think we would see the kind of program and progress that has made Ontario the leader in Canada in the implementation of midwifery.

I remember on one occasion when Quebec announced that it was going to be regulating and legislating, bringing midwifery into the mainstream of practice, there was an editorial in a newspaper saying, "Look at that: Quebec is doing it and Ontario is still dragging its feet." In fact, what happened was that a week after that editorial took place and that announcement, I happened to see the Quebec

Health minister, and she said: "We've made this announcement. Now could you please tell us how you're doing it so that we could catch up to you, because you have been the leaders."

It was with great pride that was set in place not only by our government but by our very first Minister of Health, the member for Bruce, who is here today. I think for all women who will have the opportunity to be served by midwives in the province of Ontario, not only in hospital but in out-of-hospital birthing centres—as was the policy of our government, which I know is being continued by the new government—the credit is due and owing to the member for Bruce. I take great pleasure in sharing that with the House today.

Hon Ms Lankin: I think the comments that we have heard from all sides indicate the kind of support there is for this legislation having come through 10 years of birthing pains. Perhaps if we had midwives who had been able to help deliver it, we would have had it faster.

However, it is historic. This is the first time this legislation, although it had been tabled before, has gotten to second reading. I am delighted to be here and to be sharing in this occasion. I think it is also quite remarkable that we have a situation where there are three of the eight ministers of Health who have been able to comment on this today. I appreciate the fact also that the member for Bruce, who is a former Minister of Health, is here and supportive of this initiative.

When I was listening to the member for Ottawa Centre, I was thinking how remarkable this actually is, that we are finally moving to a point in time where we will have legalized midwifery in this province and show leadership in Canada in terms of establishing the practice of midwifery and the support for that profession. I think of it myself in personal terms as a young woman who has yet to have her first child. I hope I will have that opportunity in my life and I hope I will be able to have that opportunity to choose to have a child in my home with the assistance of a midwife. I am thrilled that that prospect may become a reality for me and for many other women in this province.

I hear the tribute that was made to the member for Bruce as the Minister of Health who first made the announcement about the legalization of midwifery and I pay tribute to that. I also, as I did in my opening comments, pay tribute to the hundreds and hundreds of women and the handful of midwives themselves who have been so much a part of working and fighting and struggling to make this a reality against many odds in terms of other professions' support and acceptance of the establishment of legalized, regulated midwifery; in fact for many years in terms of a political unwillingness to act on this.

It is an exciting day to bring to fruition the work of all of those hundreds of women, to hear their voices heard here today in the Legislature as other women, former ministers of Health and myself, are able to say this is going to be a reality. I am very excited.

1650

There have been comments made, and I just want to assure people that the issues of concern are certainly the

ones we wish to hear about from people during the committee process. There has been reference to the harm clause. Certainly it has been a controversial clause within the legislation from whatever side you look at it, and I am sure that we will hear from people—I would be naïve to suggest that this would not be an issue of debate—and particularly to hear from the public again, as I said, the consumers, as to how they feel about this.

With respect to the issue of the diagnosis clause, I myself have been well lobbied during the election and since by members of the coalition of unregulated health professionals who have a view, who have a concern. They will be there and they will be heard, and the other professions that have a concern about moving in the direction that the unregulated professions would like will be heard. I think we will have a full and thorough debate about this.

The principles, however, that have meant that this legislative initiative has sustained itself through three administrations and through eight ministers of Health are the important ones and the ones that we all agree upon. At the end of the day, I believe that with that public debate, with whatever amendments may come from that process, we will have legislation that will see all-party support and broad public and professional group support because of the process it has been through to arrive at this point and, as I said, the overriding principles.

We will be removing obstacles to new ways of providing service in this province, and that is critically important. We will be moving to make sure that there is proper public protection, and that is critically important. We will be establishing new standards of accountability and openness in the governance of the professions, and that is critically important. As we have all just said, with respect to midwifery and others, we will be recognizing new professions, and that is most definitely critically important.

I look forward to the committee hearings. I look forward in particular, as I have said already today, to hearing from consumers. I am pleased that the Chair of the committee is an individual who has such an interest in the outcome of this legislative process. I would ask her and urge her to ensure that the committee finds ways to reach out and involve consumers in that debate. I think that is important for us all.

The Deputy Speaker: Ms Lankin has moved second reading of Bill 43.

M^{me} Lankin a proposé la deuxième lecture du projet de loi 43.

Motion agreed to.

La motion est adoptée.

The Deputy Speaker: Ms Lankin has moved second reading of Bill 44.

M^{me} Lankin a proposé la deuxième lecture du projet de loi 44.

Motion agreed to.

La motion est adoptée.

The Deputy Speaker: Ms Lankin has moved second reading of Bill 45.

M^{me} Lankin a proposé la deuxième lecture du projet de loi 45.

Motion agreed to.

La motion est adoptée.

The Deputy Speaker: Ms Lankin has moved second reading of Bill 46.

M^{me} Lankin a proposé la deuxième lecture du projet de loi 46.

Motion agreed to.

La motion est adoptée.

The Deputy Speaker: Ms Lankin has moved second reading of Bill 47.

M^{me} Lankin a proposé la deuxième lecture du projet de loi 47.

Motion agreed to.

La motion est adoptée.

The Deputy Speaker: Ms Lankin has moved second reading of Bill 48.

M^{me} Lankin a proposé la deuxième lecture du projet de loi 48.

Motion agreed to.

La motion est adoptée.

The Deputy Speaker: Ms Lankin has moved second reading of Bill 49.

M^{me} Lankin a proposé la deuxième lecture du projet de loi 49.

Motion agreed to.

La motion est adoptée.

The Deputy Speaker: Ms Lankin has moved second reading of Bill 50.

M^{me} Lankin a proposé la deuxième lecture du projet de loi 50.

Motion agreed to.

La motion est adoptée.

The Deputy Speaker: Ms Lankin has moved second reading of Bill 51.

M^{me} Lankin a proposé la deuxième lecture du projet de loi 51.

Motion agreed to.

La motion est adoptée.

The Deputy Speaker: Ms Lankin has moved second reading of Bill 52.

M^{me} Lankin a proposé la deuxième lecture du projet de loi 52.

Motion agreed to.

La motion est adoptée.

The Deputy Speaker: Ms Lankin has moved second reading of Bill 53.

M^{me} Lankin a proposé la deuxième lecture du projet de loi 53.

Motion agreed to.

La motion est adoptée.

The Deputy Speaker: Ms Lankin has moved second reading of Bill 54.

M^{me} Lankin a proposé la deuxième lecture du projet de loi 54.

Motion agreed to.

La motion est adoptée.

The Deputy Speaker: Ms Lankin has moved second reading of Bill 55.

M^{me} Lankin a proposé la deuxième lecture du projet de loi 55.

Motion agreed to.

La motion est adoptée.

The Deputy Speaker: Ms Lankin has moved second reading of Bill 56.

M^{me} Lankin a proposé la deuxième lecture du projet de loi 56.

Motion agreed to.

La motion est adoptée.

The Deputy Speaker: Ms Lankin has moved second reading of Bill 57.

M^{me} Lankin a proposé la deuxième lecture du projet de loi 57.

Motion agreed to.

La motion est adoptée.

The Deputy Speaker: Ms Lankin has moved second reading of Bill 58.

M^{me} Lankin a proposé la deuxième lecture du projet de loi 58.

Motion agreed to.

La motion est adoptée.

The Deputy Speaker: Ms Lankin has moved second reading of Bill 59.

M^{me} Lankin a proposé la deuxième lecture du projet de loi 59.

Motion agreed to.

La motion est adoptée.

The Deputy Speaker: Ms Lankin has moved second reading of Bill 60.

M^{me} Lankin a proposé la deuxième lecture du projet de loi 60.

Motion agreed to.

La motion est adoptée.

The Deputy Speaker: Ms Lankin has moved second reading of Bill 61.

M^{me} Lankin a proposé la deuxième lecture du projet de loi 61.

Motion agreed to.

La motion est adoptée.

The Deputy Speaker: Ms Lankin has moved second reading of Bill 62.

M^{me} Lankin a proposé la deuxième lecture du projet de loi 62.

Motion agreed to.

La motion est adoptée.

The Deputy Speaker: Ms Lankin has moved second reading of Bill 63.

M^{me} Lankin a proposé la deuxième lecture du projet de loi 63.

Motion agreed to.

La motion est adoptée.

The Deputy Speaker: Ms Lankin has moved second reading of Bill 64.

M^{me} Lankin a proposé la deuxième lecture du projet de loi 64.

Motion agreed to.

La motion est adoptée.

Bills ordered for the standing committee on social development.

Les projets de loi sont déferés au comité permanent des affaires sociales.

House in committee of the whole.

La Chambre en comité plénier.

FAMILY SUPPORT PLAN AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI SUR LE RÉGIME DES OBLIGATIONS ALIMENTAIRES ENVERS LA FAMILLE

Resuming consideration of Bill 17, An Act to amend the Law related to the Enforcement of Support and Custody Orders.

Reprise de l'étude du projet de loi 17, Loi portant modification des lois relatives à l'exécution d'ordonnances alimentaires et de garde d'enfants.

The First Deputy Chair: When we left this the last day, the member for Willowdale was making his general comments on section 1. Would the member like to continue.

Mr Harnick: Madam Chair, at the outset, I wish to withdraw several of the amendments I made. If you would like me to read them all off, I can read them all off, or I can read the ones that I wish to continue and you can delete all the others, whatever is easier.

I would like to withdraw my amendment to section 4 of the bill, proposed subsection 3.3(4.1). I would like to withdraw section 4 of the bill, proposed subsection—

The First Deputy Chair: Would you start again. I am going to be recording these.

Mr Harnick: Would it be easier if I just read the amendments I wish to proceed on and then assume that all of—

The First Deputy Chair: Are they fewer than the ones you are withdrawing?

Mr Fletcher: Why don't you just sit down?

Mr Harnick: I appreciate the member indicates that it would be easier if I just sat down, but I am trying to facilitate moving Bill 17 through the Legislature. We have heard—

The First Deputy Chair: I asked you whether the number you are keeping are less than the number you are withdrawing.

Mr Harnick: Yes.

The First Deputy Chair: Fine. Why do you not read the numbers we are keeping and we will record them.

Mr Harnick: I am keeping section 4 of the bill, proposed subsections 3.4(11.1) to (11.3), and I am keeping section 4 of the bill, proposed subsection 3.8(10). All of the other amendments are withdrawn.

The First Deputy Chair: Thank you.

1700

Section/article 1:

Mr Harnick: Just as some preliminary remarks, this is a bill that people have great expectations about, but it is also a bill that I predict is going to have a great deal of difficulty associated with it. Some of the problems with the support payment legislation in the past will remain in spite of this bill, and I would like to indicate very briefly some of the deficiencies that I see in this bill. Later on when I have the opportunity, I will speak on behalf of the amendments I am proposing, which I believe will go in part to solve some of these problems.

First of all, as to the numbers we have had thrown around indicating that 75% of people are in default and that 25% comply, I do not know about the accuracy of those figures. The fact of the matter is that if 25% of those who have support orders against them are complying with those orders without the necessity of being forced into the support and custody orders enforcement office, then it seems to me we would be much better off if we left those people alone. Why overburden an already overburdened system with people who do not need the system to force them to comply with their obligations? That I see is a very significant problem with this bill, the difficulty being that those 25% pay. They should not be forced to pay in this manner. It only clogs the system, which already does not work.

The evidence given by witnesses indicated that the ratio of SCOE staff responsible for collecting this money to the number of people who have payments outstanding is astronomical. In some offices there were two, three or four people for 500, 600 or 700 claimants. I do not know if anybody in this Legislature has had any practice and practical experience in trying to do collection work, but for two, three or four people to try to collect outstanding debts from 500, 600, 700 or 800 people, that is asking your staff to do the impossible. By forcing 25% of the people involved with this particular procedure into the system, all you are doing is making that system more difficult.

Philosophically, the problem I have with this piece of legislation is that it is making the concept of universality applicable to family law. It seems to me that universality is not something that is going to be benefited in terms of the way this act operates, and I know the Attorney General laughs when I say that—

Hon Mr Hampton: Just commenting on your choice of words—universality.

Mr Harnick: Well, that is what it is. The Attorney General does not like my choice of words. It strikes a chord with him. I only say to the Attorney General that I am making the comments sincerely in an effort to make this legislation better. He obviously doubts my sincerity. Quite honestly, this is a very serious problem and I believe that—

Hon Mr Hampton: Charles, don't be so thin-skinned. We were merely appreciating your conservativeness.

Mr Harnick: Well, my conservativeness is really not the issue. The issue is whether we are going to have a bill

that works, and the way this bill is set up now it is not going to work. Obviously the Attorney General is not prepared to listen to what I am saying and it is not making any impact on him, so let's move on and do it section by section.

The First Deputy Chair: Are there any other members who wish to debate on section 1?

Mr Elston: I was under the impression those were sort of the opening statements and we are doing them under the auspices of section 1. That was more or less how I think we agreed to do it. Just because I am partly substituting, were there any amendments at all to section 1 that we are dealing with?

The First Deputy Chair: None.

Mr Elston: Since I was not here when the original tabling of amendments occurred, it might be convenient for me if I could have a package of the materials from the table, if that were possible.

The First Deputy Chair: On the amendments?

Mr Elston: On the amendments only.

The First Deputy Chair: We are in the process of remaking a package, I believe, because of the withdrawal of the member for Willowdale, and when that package comes we will give that to you.

Mr Elston: They will be made available?

The First Deputy Chair: Yes.

Mr Elston: Okay. Thanks very much.

Hon Mr Hampton: We can give you one and we will tell you when an amendment should be torn out.

The First Deputy Chair: Fine.

Section 1 agreed to.

L'article 1 est adopté.

Section/article 2 :

The First Deputy Chair: Mr Hampton moved that the definition of "director" in subsection 2(1) of the bill be amended by striking out "child and family support office" and substituting "family support plan."

Hon Mr Hampton: It is my understanding that this change of name has been discussed previously in committee and we feel that it more accurately reflects the way in which the program will work and the issues it will address.

Mr Elston: Just very briefly, and I may take a couple of opportunities to talk about this, I do not wish to do it at length because Hansard of the committee will show where my mind has been with respect to whether or not this is really child and family support, and therefore whether this is really totally an appropriate name to be giving to what was formerly called the director's office.

We had moved an amendment and we had spoken at length about the issue of whether all of the money that will be collected under the auspices of this office will actually get to the children and the family for whom the support order was made. It is quite clear, if you review those committee reports and follow some of the arguments that were made, perhaps at length but with certain feelings of dedication to the principles espoused at that time, that the money collected, at least in a fairly large number of cases,

will be taken by the government from the spouse who is required to make the payment, and rather than being sent on to the woman, in most cases, not always, the spouse in need of support and the children, that money will be sent to the Treasurer. In that case, the support being given by the office, whether it is under the director or under this new name, child and family support office, will be to the Treasurer of Ontario as well as the family in need of support, if those people are receiving any social assistance benefits.

I made the argument at length, and there is an amendment later on that we will talk to, about the principle of that. While people have voted against my amendment there, I will be making the argument again, because the amendment which will come up later will truly make this a family and child support office if there is an acknowledgement that the money collected by the government, in this case under a support order, would go first to any family that is living below the poverty line on social benefits.

As we know, right at the very moment when support is received, there is an assignment of the right to receive further moneys by the receiving spouse on behalf of herself or himself and the children. When the money is received on their behalf, there is a deduction made, against the money they have received, to the social agency.

1710

From my point of view, it seems that we could allow the people to receive money up to the poverty line, at least to the poverty line; acknowledge that they have a right to receive that much money before there is a dollar-for-dollar deduction by the government of the amount received that was first to go to support the children.

This all comes about because there has been a fairly lengthy explanation of the government's position that this is a first step in the fight against child poverty. While I would not wish to get into the merits of that communication and the style of the announcement of this to the public, it is quite clear to me that if we refuse to send enough money to the family from the moneys collected by the government to take the family at least to the poverty line or even, God forbid, above the poverty line, then I think that we are really not doing what this name connotes.

A fair bit of the money collected by this office is going to be paid directly to the Treasurer. We know the Treasurer needs the money these days, and we know that there will be application to all kinds of worthy programs, but there is no more worthy recipient of this than the families and the children who need it first. If I am mistaken, and if the money is designed only to go to support-requiring spouses and children, then I stand corrected. But I will bet the Treasurer stands to get a fair number of dollars, and I will bet there are lots of people who will live below the poverty line while the Treasurer receives money which was paid to the government by the supporting spouse.

That is why I make the very short interjection of my views, because this makes it look very nice for the public consumption. It makes it nice as well because you can change the name of the organization that has had problems associated with it. I understand the problems associated with SCOE, as it was called. I can tell members that trying

to fight against some of those backlogs consumed some of our time. Obviously it was not addressed well enough, but you cannot eliminate the problems merely by changing the name. You cannot eliminate the problems of people living on less than sufficient funds by increasing the number of people who are caught by this whole operation and indicate that you have actually implemented something that is a child and family support activity.

I just want to make those remarks clear, because I still think there are a number of items which ought to be considered if they really think that the name of the office should reflect fully the activity it is undertaking. Perhaps the Attorney General can make a couple of changes here and there that would alleviate my concerns that he is collecting money for the Treasurer first and then secondarily collecting money for children and families in need of support.

Motion agreed to.

The First Deputy Chair: Mr Hampton moves that the definition of "Director's office" in subsection 2(3) of the bill be struck out.

Hon Mr Hampton: When the name of the act was changed, it became apparent to legislative counsel that this definition was self-explanatory and therefore unnecessary, so it can be struck.

Motion agreed to.

Section 2, as amended, agreed to.

L'article 2, modifié, est adopté.

Section/article 3 :

The First Deputy Chair: Mr Hampton moves that subsection 2(1) of the act, as set out in section 3 of the bill, be amended by striking out "child and family support office" and substituting "family support plan."

Hon Mr Hampton: Again, this is to reflect the change of name of the act.

Motion agreed to.

Section 3, as amended, agreed to.

L'article 3, modifié, est adopté.

Section/article 4 :

The First Deputy Chair: Mr Hampton moves that subsection 3.3(4) of the act, as set out in section 4 of the bill, be struck out and the following substituted:

"(4) The director shall enforce a support deduction order, subject to any suspension order or variation, until the support order to which it relates is terminated and there are no arrears owing and despite the fact that the support order to which it relates has not been filed in or has been withdrawn from the director's office."

1720

Hon Mr Hampton: By way of explanation, this subsection, as originally drafted, did not contemplate the situation in which a recipient files a notice not to enforce which results in a support order never being filed in the director's office. The subsection was amended to reflect the fact that a support order may not be filed in the director's office for two reasons. One, it was never filed

with the director or, two, it was withdrawn after filing. It merely addresses that practical point.

Motion agreed to.

The First Deputy Chair: Mr Hampton moves that subsection 3.3(24) of the act, as set out in section 4 of the bill, be amended by striking out "(18)" in the fourth line and substituting "(19)."

Motion agreed to.

The First Deputy Chair: Mr Hampton moves that section 3.3 of the act, as set out in section 4 of the bill, be amended by adding the following subsections:

"(30.1) A support deduction order is effective against the crown only in respect of amounts payable on behalf of the administrative unit served with notice of the support deduction order to the payor named in the notice.

"(30.2) In subsection (30.1), 'administrative unit' means a ministry of the government of Ontario, a crown agency within the meaning of the Crown Agency Act or the Office of the Assembly under the Legislative Assembly Act."

Mr Elston: We talked a little bit about whether or not this would be binding on the government of Ontario, I recall. I might just ask, because we know that there is certain mobility within the public service, if the deduction order would have to be filed, for instance, if someone moved from the Ministry of Health to the Ministry of Correctional Services, or changed to becoming an employee of the Pension Commission of Ontario, or whatever. Perhaps you could advise us as to the procedure, or if there is some sense that the procedure will not have to be formally repeated, but there can be some informal, internal government working of the notices given rather than having to make a refile all the way through.

Hon Mr Hampton: We do not have the answer to that, but I can tell the member that the intention behind the amendment was to ensure that service was made on the agency that would be able to respond, and also to place garnishments with respect to government on the same footing as garnishments that might occur in the private sector. But as to the member's direct question, we will have an answer from the Ministry of Government Services, hopefully fairly soon, if an informal procedure can be set up to transfer from one agency to another.

Mr Elston: While that is helpful, I guess, having been asked to make the change, I want to commend the minister in making the change to allow the government to expose itself to these rules the same as everybody else, because in many cases, of course, the crown is not subject to these sorts of applications of rules. But I think my problem comes in the fact that perhaps we have not gotten things nailed down and, while the minister suggests that we took some weeks to go through the committee stages, there still is a sense that I am left with, even though I am happy enough to vote in favour of this amendment, that perhaps the minister has not yet gotten the procedure down to where he could do what could be described as, in the vernacular of public service, operationalize this whole activity.

I am concerned, as well—just while I am on my feet—that while we have asked for some copies, or at least drafts

of the regulations surrounding the operation of this act, we have not yet received those. I do know that we had anticipated that a good part of the bill, when being considered in the committee, would be left unwritten but would result in the generation of a whole series of regulations that followed in line with the passage of some of the sections. In fairness to those people who suggested that until you have the final bill you do not know what the regulations are going to look like, there is a pretty good sense of what amendments are going to pass and which ones are not going to pass, and I wonder if I might ask the minister responsible if we could possibly—

Hon Mr Wildman: You would not prejudice the legislative process.

Mr Elston: The Minister of Natural Resources really is silly today. Just so that the public of Ontario knows what is happening, the Minister of Natural Resources suggested he did not want to prejudice the legislative process. Liberals have known how to count for a long time, and we know how to count backwards now as well as forwards, and we know the difference in the numbers of the government members as against the opposition. We know what amendments are going to pass, but just let me say this: One of the things that would be helpful, as we go through this clause by clause in committee of the whole House, is something we suggested at the time we were in committee, that we would feel more comfortable about voting for some of this stuff if we could see some of the details attached to the act in regulation form.

Perhaps I could pose again the question that was asked in committee and on several occasions to the parliamentary assistant, who again I say was very helpful during our committee hearings. That will help him get a promotion, I know. Can we see some of the draft regulations so that it would help us decide just how many minutes we might want to spend on some of the proposed amendments that the minister has introduced in committee of the whole?

Hon Mr Hampton: The draft regulations are not ready yet. They will likely be ready some time this summer.

1730

Mr Elston: I do not want to take a lot of time here but, as I stated at the time we were in committee, the deliberations around the bill generate a whole series of questions about how—and I might even be out of order here, but just to complete my question. The arguments about a lot of these issues that we are now considering by way of amendment here in committee of the whole House to complete the government's legislation—arguments may have been based upon a degree of, again using a public service word, specificity that we did not have, and I wonder if there are not even some general draft regulations. I am sure there are. I know the process that goes on.

There must be some pieces of information that would help us feel a little more secure about the completion of the bill, because really we are going to take it on faith, when we pass this thing, that it is all going to work. We have had some substantial concerns about two things in the development of our position on this bill, one being about the resources, because the resources were one of the things

that confronted the people who had the bill in its current operational form. Resources was a point that was made by a whole series of presenters at our committee hearings as key to the success of the new bill, the continuation of the old procedures plus the addition of the new numbers of people caught by this bill. That is one.

The other is the details of how certain things will be done by—do we still have a director? I will use the old word. The bill is not passed yet. I will call the position “director”—the director to make some fair and even-handed sorts of communications to various individuals, for instance, or in dealing with the money that is in trust for people from whom it has been collected and for whom it is to be disbursed. I just wonder if there is not at least some initial drafting of regulations that we might see before we complete the entire bill. I know we are just kind of tinkering with some of this stuff, but some of it is important for us.

Hon Mr Hampton: Madam Chair, he asked a question. To give a short answer to the member's long question, the regulations are being drafted at this time and are being worked on at this time. There is no intent here to deny them to anyone; it is just that they are being worked on as we speak.

Motion agreed to.

The First Deputy Chair: Mr Hampton moves that section 3.4 of the act, as set out in section 4 of the bill, be amended by adding the following subsection:

“(2.1) If the support order has been assigned to an agency described in subsection 33(3) of the Family Law Act, 1986 or if there are arrears owing to the agency from a past assignment, the court shall not suspend the support deduction order in the circumstances described in clause 2(b) without the agency's consent.”

Mr Elston: Again, I feel like I am spoiling the progress, but I will tell members, to read this, it is not just sort of self-explanatory. Can the minister tell me what this really does mean?

Hon Mr Hampton: This amendment ensures that the Minister of Community and Social Services or another statutory assignee of a support order, for example a municipal corporation, a district welfare administration board or an Indian band, has the right to consent to the agreement of the parties to suspend support deduction. As originally drafted, the assignee's consent was not required. The assignee was required to rely solely on the terms of the assignment agreement.

Mr Elston: I appreciate the gentleman providing us with some explanation, but that sounds like there is a introduction of another party to the negotiations between former spouses or something. I wonder again if he might develop an example, or if one of his assistants might develop for him an example, that would clearly outline the effect of this particular amendment. It sometimes is easier for us to follow when an example is given to see how this is going to work. If that would be possible, I think it would help me understand the wording just a little bit better.

Hon Mr Hampton: Oftentimes, where there is a support order, there may be an assignment to, for example, an

Indian band or a district welfare board or the Ministry of Community and Social Services. This amendment directs itself to the situation where there has been an assignment and now the support receiver and the support payor desire to suspend the support deduction model. But if there are still arrears owing, for example, and some of those are owing to the Indian band or to the district welfare board or possibly to the Ministry of Community and Social Services, before the order can be suspended the agreement of whatever the agency is, which is possibly owed arrears, must be sought.

Mr Elston: I am glad that I raised this as an issue, because this actually takes me back to the change of name section that I talked about earlier. What this really does is, I guess, provide protection for those agencies and in fact could protect the Treasurer of Ontario, because if there is an assignment from a spouse receiving support under a support order and a deduction order, this really protects the interests of the third party that has the assignment. In fact, that means that if there was an agreement between the supporting spouse and the spouse in need of support to deal directly, ie, transfer the money from the supporting spouse to his or her family, that could not be done unless the treasuries of those various groups first mentioned, like Community and Social Services or the Treasurer of Ontario, who would stand in the place of the Ministry of Community and Social Services, the Indian band or the local municipal social assistance board, are provided a paramount protection at a time when, in fact, there may be an agreement to pay directly, ie, get the money more quickly from the supporting spouse to his or her family, perhaps even take that spouse beyond the poverty limit we have talked about before.

Again, I want to make the point that if this is proposed to become the first step in the fight against child poverty and poverty in families with single parents who are receiving support, both on social assistance or a variation of the same and receiving support also from a supporting spouse, then perhaps we could take into consideration my concern that the assignments are being protected much more than the children or the spouse in need of support.

Basically, we are given the money. We are putting all sorts of protections in place for these big treasuries that do not feel the pain and the hurt the same way as the hungry child or the child in need of clothes or food or whatever. I wonder if there is not some way the government could put a limitation along the lines I have proposed before, that the assignment be honoured only after the people in need of support receive at least an amount of money that takes them to the poverty line area.

I do not think that is too much to ask. I just think it is easily passed over when we talk about protecting interests, because really, when you start thinking about it, people assign the assignments to get the money they require to live. It just makes me a little bit concerned that we so easily pass over the argument about the poverty line and the need for support by saying we have to protect and honour assignments when the assignments first are taken from people who, in desperation, will practically sign anything to allow them to get a meal or a roof over their heads.

Again, I am taking much too long, I understand that, but I really do want to press the point that if this is a fight against poverty, then we have to change the whole thrust of the statute when it comes to honouring assignments, or at least put self-imposed limitations on the government, so that people can earn up to the poverty line as calculated by several agencies. We can choose what definition we want, but at least we can pursue it to that limit.

1740

Mr Harnick: I wonder if the minister could tell me, just as a technical point, where this section fits in relation to the new numbering system that has been used. I see that section 3.4 is on page 9. That is the section that deals with suspension of support deduction orders and this is subsection 3.4(2.1). I do not understand where that would fit in.

Hon Mr Hampton: I will attempt to deal with both questions at once here. If we are on page 9 of the printed bill, it is correct. You have subsection 3.4(1); then you have subsection 2, clauses (a) and (b). This would come in directly following that, so it would be subsection 3.4(2.1).

To deal with the comments of the member for Bruce, I want to first of all make two points. The statistics we have indicate that in about 10% of cases the money flowing by way of a support order makes its way to the Ministry of Community and Social Services; so currently about 10%.

The purpose of the subsection, so that the member understands it, is so that the ministry will have an understanding and will have a right to know what steps the parties are taking. If the parties are taking steps to suspend orders, the ministry needs to know that, because they may already be part of a social assistance payment scheme with respect to the support receiver. It is necessary for the ministry or the Indian band or the district welfare board to know what the current relationship is with respect to paying the support deduction order. If they did not know, that creates some difficulties and it can tie the procedure up.

The member is saying there should be a stipulation that the support receivers are brought up to a certain level before payments must then go to the Indian band or the district welfare board or the Ministry of Community and Social Services. Those bodies can always waive. They cannot always waive their right to receive the assignment. The indication I have is that on a case-by-case procedure, that is sometimes done.

Mr Elston: This is something I pursued at some length and I do not want to go on a whole long time, but I really do get a little bit concerned when the minister responsible for this fight against poverty is designating that a movement of a minimum receipt of assistance from both sources of welfare or social assistance, family benefits, general welfare assistance and from supporting spouses not be dealt with on a reasonable or rational basis.

Interestingly enough, in this bill we spent a long time telling a judge that he or she could not take into consideration certain things because we believed there should be direction given to judges about what would be reasonable in terms of making a decision to issue a deduction order. But in this case, the minister is not prepared to put one small piece of advice, one small signal that this really is a

fight against poverty in this bill. Instead, he is prepared to say that there will be the securing of the position of privilege for those people who got an assignment executed by the spouse in need of support for his or her children so that they could actually get something to eat and a place to stay.

I just think the contradiction is too terrible for him to fully contemplate standing up and putting in front of his caucus colleagues. The government has been known in the days past as being an organization that spoke about making sure the people got at least to the poverty level, and here what it has said is that it is prepared to put its support first and primarily behind the Ministry of Community and Social Services or some agency that does not feel the pain of hunger or of going without clothes or shelter.

I am pretty vigorous about this, and some of the time that was taken up during the debate—and I see some of my colleagues the members on the opposition benches and the government benches who were there and heard me speak about this.

Here we are with another provision which is designed to ensure the administrative integrity of this whole process. That is the point I kept trying to make to the people who listened to us during the debate. Basically, the member for Simcoe Centre lent us his ears for long periods of time, and he heard us, but generally I think it is fair to say the effort was made by the government to dismiss as much as possible the proposition that this was merely an administrative tightening of the stranglehold of resources that were bound for people in need of support.

It will certainly also do a couple of other things—that is, increase the positive statistics of the Ministry of the Attorney General—because a big bulk of the people who will be newly captured by this program will be people who are already voluntarily complying with their support orders. But the results will be fairly good in terms of the statistics generated by the new office, whatever we just renamed it through the amendments.

Can the Attorney General not at least acknowledge that it would be very simple, very easy, to extend the concept of a minimum level before he gives primacy to the Treasurer of Ontario, rather than just saying we will let the Treasurer of Ontario decide on a case-by-case basis whether or not he needs the money more than the people in need of support?

It has been a long argument with me, and it seems to me that is rational. It seems to me that it ought to be a priority and it ought to be, from my position anyway, pretty consistent with what we saw in the election campaign in August and September 1990 about the primacy of people over the administrative features of either government or any other organization.

I only plead again that he consider, maybe not in this particular section but as we have some time probably to deal with more of the clause-by-clause, maybe in a general fashion, by introducing a government amendment to ensure and secure at least poverty line funding for families in need of support prior to deducting amounts of money under assignments to go off to the various treasuries.

I know that not too many folks are interested in this plea again, but I think it ought to tweak the consciences of those people who have been known for a long time to fight for these things. They ought, in the days after we complete our hearings today, to go back and ask individually, one on one, both the minister and the parliamentary assistant, and even the people who are in the policy units and in the legal units of the Attorney General's ministry, why he cannot have one very simple feature, one very almost painless feature introduced. It will not cost the taxpayers anything more.

What he is saying to people is that this is a bill to provide for the elimination of at least a campaign against the reduction of the effects of poverty. Why can he not be consistent in moving that one simple amendment, rather than moving a new amendment which guarantees the primacy of the organizations over the people in need of help? I do not understand it. It does not take, it seems to me, too much of a movement. It is no defeat. It is a victory for people who need help. It is not a defeat for the party, it is not a defeat for the organization that sponsors the legislation and it is such a tiny thing to do, but for those individuals receiving it, it is such a huge relief.

1750

I do not understand how on balance, how on any sense of balance, the minister can refuse what I think is reasonable, unless he thinks it is right to refuse something reasonable that comes from over here. I am happy, if the Chair will let me, to make this speech from the minister's side. I will come right back after I make it, but I am prepared to make it over there if that makes the minister more comfortable in accepting it. Please, really think about it, because that is a need of this bill if the minister is going to make it a fight against poverty. Please consider it.

Mrs Caplan: I listened very carefully to the debate and the comments of my colleague the member for Bruce. I too would ask that the minister at least explain why, given his intent and the purpose of this bill, he will not accept the premise which has been put forward so eloquently by the member for Bruce. If this is supposed to achieve the goal of fighting poverty in this province, here is an excellent opportunity for this government to do what it says it wants to do. I have been sitting here and I cannot understand why the minister would not amend his bill to achieve this goal.

Hon Mr Hampton: To get back on track, the member for Bruce makes an eloquent plea that he might make the next time the Ministry of Community and Social Services brings its estimates forward. As he knows, and I think as other members of the House know, Comsoc has a formula for the payment of social welfare benefits to a family in need and that formula will change based upon whether there is one dependent, two dependents, three dependents, basic shelter allowance, etc. That formula already exists.

On the one hand, what the member for Bruce is talking about is somehow, if you conceptualize this, putting a particular group of support receivers in a better position than the family that lives next door to them where both may be receiving social welfare benefits but one is also due support. That is one potential interpretation of his point.

The other potential interpretation is that where a support payor is able to avoid paying support for, let us say, a year and the district social services board or Community and Social Services picks up the support payor's responsibility, once the support payor is contacted and the income source is contacted, the support payor should be able to avoid paying the back payments. That is the other possible interpretation.

Neither of those will benefit, I would suggest, the support receivers in a real sense. The latter one, I would suggest, would definitely benefit the support payor who is able to skip out and avoid paying support for, let us say, a year or a year and a half. The former one creates a situation whereby you could have two families living next door to one another, one is receiving social welfare benefits only, the other is receiving social welfare benefits plus support deduction and they are placed in a different position. That creates inequality and that creates problems in society. I think the member knows that.

Finally, the member is trying to put into this bill, which is designed to simplify and to make more effective the collection of support payments, something which could be technically fairly complicated and result in even further administrative costs. I accept the principle of his point, but if he wants to make that point, I think he should make it when the Ministry of Community and Social Services presents its estimates.

Mr Elston: I cannot believe what I just heard the Attorney General say. Basically, what he said was that as long as two families are below the poverty line, it would be unfair to allow somebody to get a little bit more money because there was an extra source of income that would take them to the poverty line. I find that reprehensible. I find it absolutely unacceptable from you. I cannot understand your standing up at the very start of this whole debate on second reading and saying this is the first stab against the great problems created by child poverty. I do not understand how you can stand there and say that a family ought to remain poor because the person next door is poor, when there is some money.

What is more, do you know what you have done, Howard? You have basically said the Treasurer and his people need the money more than somebody who goes to bed hungry, who has a hard time keeping himself or herself or their children under a roof.

Hon Mr Hampton: It seems to me the only welfare you're interested in is the welfare of auto insurance companies.

The First Deputy Chair: Minister, please. Your time will come.

Mr Elston: You know something, Howard? That just does not become you. I will tell you we are talking about a particular problem that is associated with poverty.

The First Deputy Chair: Member for Bruce, would you please direct your comments through the Chair.

Mr Elston: Madam Chair, I appreciate the opportunity of telling the Attorney General that he had better mind his Ps and Qs because I am prepared to start making very long speeches about the types of commitment to social

policy if he is not willing to just drop some of this other nonsense he has been putting into this.

There is not a sense of dignity left when the Attorney General tells me that when he has a chance to amend a bill to allow people to get up to the poverty limit, when he has a chance to allow people to creep to the poverty level, they should stay poor, or poorer, because the people next door are poor. I do not understand that. This is a situation where we can put people first, just like the Attorney General has said he wants.

I am not even going to get into the rhetoric around whether election promises are really meant to be kept or not, but this government has a doctrine that says people are first and that organizations come second. Why in the world would the Attorney General not take one small step when he has the chance to direct the director that she will be allowed to release funds to the family in need of support until at least it hits the poverty limit? That is not technically complex. All it requires is some indication of what the poverty limit is, some indication of the amount of support that is going to those people, and then away you go.

To tell me to go and see the Ministry of Community and Social Services and the minister when she and her minions make their presentations on estimates is like assigning me to some kind of problem that will never, ever be unravelled. It will be a labyrinth from which I will get no result.

The fact of the matter remains that we have a bill in front of us now. A bill is here. Legislation is here. We can make a very simple amendment which will direct the people to work out the complexities. The Attorney General's people sat in front of our committee when we were out in the standing committee and said: "Don't worry about it being complex. We're going to put together regulations that will make it work. Trust us."

What could be more trustworthy now than a requirement that these same people who can take the complexity out of this piece of stuff by regulation merely put regulations together that direct the calculation of the limit to which each person is entitled to receive income before the

Treasurer gets his pound of flesh for these people requiring social assistance? What in the world can the Attorney General be afraid of?

If the Attorney General is going to go out in the community and he is going to sell this as an attack on poverty, how can he give the first dollar to the Treasurer or to any other organization before he at least takes the people in need of support to a certain limit, the poverty limit? The poverty line seems to me to be such a very minimum standard to deal with.

Interjections.

The First Deputy Chair: Order, please. The member for Bruce has the floor for a little bit more.

Interjection.

The First Deputy Chair: The member for St Catharines, please.

Mr Elston: I appreciate your intervention, Madam Chair, because I think what we have to do is really assess whether this bill becomes anything more than an administrative tightening up so that the collection agencies, which really is the office's proper name, can be more efficient in harvesting money from the pockets of the people of the province, and they are going to make a direct transfer to the Treasurer at a time when women and children and, yes, men who are spouses, who are single parents with children who are receiving support are in need of help to get them to a minimum level of support.

The Attorney General shakes his head. I can appreciate it, but I really wish to continue this line of debate on another day, because if folks opposite are not going to ask the question whether people come first, then they really are retreating a long, long way from where they have been and where I know a lot of them are, the point of conscience.

On motion by Mr Elston, the committee of the whole reported progress.

À la suite d'une motion présentée par M. Elston, l'étude du projet de loi en comité plénier de la Chambre est ajournée.

The House adjourned at 1801.

ERRATUM

No.	Page	Column	Line	Should read:
37	1503	2	27	to Loan Arranger, because he will have to arrange at least

ALPHABETICAL LIST OF MEMBERS

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Clerk Assistant and Clerk of Committees: Smirle Forsyth

Clerk Assistant and Clerk of Journals: Alex D. McFedries

Sergeant at Arms: Thomas Stelling

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines and to the Minister of Northern Development
			Vice-Chair, standing committee on Ontario in Confederation
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Hon Brian A.	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
Churley, Hon Marilyn	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	
Gigantes, Evelyn	Ottawa Centre	NDP	
Grandmaitre, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities

Name of member	Constituency	Party	Other responsibilities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Chair, standing committee on regulations and private bills
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	Chair, standing committee on resources development
Jackson, Cameron	Burlington South	PC	Parliamentary assistant to the Minister of Energy
Jamison, Norman	Norfolk	NDP	Chair, standing committee on estimates
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Jordan, Leo	Lanark-Renfrew	PC	Parliamentary assistant to the Chair of the Management Board of Cabinet
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	Chair, standing committee on resources development
Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Health, Chair of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
Mackenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	Parliamentary assistant to the Minister of the Environment
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the Whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation

Name of member	Constituency	Party	Other responsibilities
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
Rae, Hon Bob	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	Vice-Chair, standing committee on finance and economic affairs
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
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Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
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Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Hon Fred	Frontenac-Addington	NDP	Minister of Government Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	

Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

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Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le jeudi 30 mai 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 30 May 1991

The House met at 1002.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

MOTOR BOAT OPERATORS LICENSING ACT, 1990

Mr McLean moved second reading of Bill 37, An Act to provide for the Licensing of Motor Boat Operators.

The Deputy Speaker: Pursuant to standing order 94(c)(i), the honourable member has 10 minutes for his presentation.

Mr McLean: I welcome this opportunity to offer some opening remarks this morning as we consider second reading of my private member's Bill 37, An Act to provide for the Licensing of Motor Boat Operators.

Members will no doubt recall that my bill requires operators to have some form of licence, sets age limits and requires a written examination or the completion of a motor boat operation and safety course. It also sets a maximum \$1,000 fine and creates the offences of careless operation and impaired operation of a motor boat.

I am a boater. My family and I have a great deal of enjoyment on the waters of Lake Couchiching and Lake Simcoe and the Trent-Severn waterway, and as a boater I do not like the necessity of imposing tough regulations on myself and on my boating colleagues. However, stupidity and carelessness have made boater legislation inevitable. The increased congestion on our waterways and a new breed of damn-the-consequences boaters have brought it on themselves by demonstrating that they either do not care or do not know the fundamentals and courtesies of safe boating in the province of Ontario.

Many Ontarians now spend more on leisure and recreation, and this increased spending is reflected in the proliferation of boats. There are more than one million boats in Ontario. This province has more boats per capita than anywhere else in North America, so there is no doubt that the increased number of boats results in a great deal of congestion on this province's waterways.

Boating activities continue to increase, and boaters are now finding greater demands made on their skills and experience in many cases. Boaters appear unwilling or unable to develop a responsible attitude and to practise boat safety. By 1990, more than 300 people had been killed in boating accidents over a six-year period. Police indicate that approximately 60% of all accidents go unreported because there is no obligation to report mishaps unless someone is killed.

I believe a recent report from the Ministry of Natural Resources lends a great deal of credence to my call for regulating power boats in Ontario. The ministry report, *Recreational Boating Facilities in Ontario (1980-87)*, indicates that while boating fatalities fluctuated, without any

definite trend during the study period, statistics show that the majority of fatalities occur to males between the ages of 15 and 34 in power boats that are less than 5.5 metres in length. Fatal accidents usually occur during the summer months, when the bulk of the boating activity takes place. The most common accidents result in the victim's falling or being thrown overboard or the boat capsizing. In a large number of fatal accidents, the victim was not wearing a lifejacket or personal flotation device, had consumed alcohol or encountered rough water and had been negligent or careless while in the boat.

I believe that many fatalities could be prevented if boaters were more aware of the boating environment, their own limitations and the power of the water. In other words, boaters should be required to take a motor boat operation and safety course. Skill and experience are not always enough to prevent boating mishaps. The boater must know boat safety practices and be willing to apply those practices in order to avoid critical situations.

People who perceive recreational boating as relatively safe may ignore obvious risks. They may violate regulations designed to reduce the risk of accidents. They may fail to prepare for unexpected equipment failure. Their perceptions may determine their response to dangerous situations.

There are several factors that relate to the possibility of a boating accident. The first group relates to the boater's character and condition, including experience, skills, physical condition, safety, knowledge and attitude. The second group relates to the environment and includes weather, water conditions, boat traffic and obstructions. The third group relates to the craft itself and includes structure, mechanics, equipment supply and fuel supply.

All boaters must be aware of potential dangers and risks and how they can avoid them. In an attempt to reduce boating accidents, it is necessary to raise public awareness of acceptable boating practices. Effective public education depends on knowing where and with whom potential boating problems exist. I believe that my private member's bill to regulate and license motor boat operators will contribute to public awareness and education.

Drinking is involved in nearly one half of all boating accidents. A majority of the boating charges and warnings handed out by the Ontario Provincial Police each year are for safety-related offences such as too few lifejackets, non-functional running lights or water-skiing without an observer on board. The closest thing under federal law to the Highway Traffic Act's careless driving charge is failing to keep a proper lookout, which carries a maximum \$500 fine. The Criminal Code does not apply to water offences, but is usually used mainly to crack down on drinking boaters.

I have noticed a startling increase in the number of mishaps and deaths during my years of recreational boating in Ontario. It is most unfortunate that we have reached the point where we require the licensing of recreational boat operators in Ontario. However, I also think it is a

pretty sad commentary when a 10-year-old can drive any size of motor boat he or she wants and no licence or training is required. There are too many novice skippers on our waterways who have no knowledge of water safety, and our authorities have no way to regulate who operates a boat.

Police should be given the authority to enforce the safe operation of motor boats on our waterways, inasmuch as the Highway Traffic Act regulates the safe operation of motor vehicles on our roads. Motor boat operators should be licensed and held accountable for their actions on our waterways in much the same manner as those who drive vehicles on the roads are licensed and held accountable in Ontario.

1010

I am not a strong advocate of licensing people, but I do know that there has to be an avenue whereby there can be a test. There has to be a written test where people demonstrate knowledge of our waterways, such as what the buoys stand for, and how to read a chart. The power squadron course in Ontario is one of the best courses that anybody could ever take, and I would urge anybody who is going to operate a boat to have one of those courses.

I have been a boater for over 20 years, and when I look back today to when I first bought my boat and I realize the little I knew about boating, I am surprised that I did not get into any serious trouble on the waterways. But today the boats are faster and there are more of them on the waterways, and that is where I see the problem.

The other day I noticed in front of my place, within 300 feet of shore, a boat with two outboard motors on the back of it, going probably no less than 50 miles an hour. Those are the people who are causing the problems, and the people who want to enjoy our waterways are not able to do it. These are the people this bill is aimed at. It gives the police the authority to protect them. I predict that the day will come when we will see speed limits on our inland waterways and that we will also see a regulation whereby boats will have to stay so far from shore.

I urge the members here to give this bill second reading, because I want to see this important piece of legislation passed as soon as possible, before another tragic series of recreational boating accidents, injuries and deaths occurs on our waterways. It gets very dangerous out there.

I want to thank the members for giving me this opportunity to briefly outline Bill 37, An Act to provide for the Licensing of Motor Boat Operators. I would like to reserve the balance of my time for the end of this discussion.

Mr Wood: As the parliamentary assistant to the Minister of Natural Resources, I want to speak on Bill 37, An Act to provide for the Licensing of Motor Boat Operators. Before doing so, I want to emphasize the government's great concern about the safety of anyone who uses Ontario's lakes and waterways. One boating fatality, even one boating accident, is one mishap too many. While the government can share many of the concerns of the member for Simcoe East about public boating safety, it cannot support Bill 37 for two fundamental reasons.

First of all, the bill deals with areas under federal, not provincial, jurisdiction. Second, the bill does not address safety concerns and target groups that were clearly identified through analysis of fatal boating accidents conducted by the Ministry of Natural Resources. Since 1983, the ministry has been working with a number of agencies on recreational boating issues. I want to emphasize some of the problems with the bill as proposed.

First of all, in section 2, it proposed the licensing of vessels with motors of 25 or more horsepower. One problem is the connection that seems to be made between accidents and horsepower. It is a tenuous connection. You cannot say bigger is deadlier. According to the ministry studies, non-powered boats and boats under 18 feet in length with small engines are the types of vessel involved in 75% of fatal boating accidents. As a matter of fact, one quarter of boating fatalities involve canoes. If there is a connection to be made, it is between accidents and boater behaviour rather than horsepower.

Section 3 of the proposed bill would require that non-resident boaters have a licence from their home jurisdiction before being allowed to boat in Ontario. However, this would effectively bar anyone but Ontarians, because no jurisdiction in North America currently requires motor boat operators to have a licence. In addition, there are some 3.5 million boats registered in the states bordering on the Great Lakes. Many of the American owners of these boats regularly visit Ontario and spend tourist tax dollars here. This bill would effectively put an end to that.

Further, we believe that subsection 6(2) of the proposed bill is unnecessary. This section addresses the operation of a boat by a person who is impaired. This matter is already covered under sections 233 to 243 of the Criminal Code of Canada, which covers infractions involving the operation of automobiles, vessels and aircraft while impaired.

Section 7 deals with the suspension of a licence. Again, this is a matter already covered by the Criminal Code of Canada, which allows for the removal of the right to operate a vessel in the case of negligence or recklessness. I might add that other regulations dealing with such things as boating, speed limits, safety, passing and lights are contained in the Canada Shipping Act under the boating restriction regulations and small vessel regulations.

In closing, while the government shares many of the concerns of the member for Simcoe East about public boating safety, we do not believe that Bill 37 addresses this issue effectively.

Mr Curling: I too want to thank my honourable colleague the member for Simcoe East for introducing this bill. I almost want to call it Bill 8 or call it the resurrection of Bill 8, which is now Bill 37, because previously the member had introduced this bill and it died in Orders and Notices some time ago. I want to commend him for bringing forward this bill which will license all motor boats while in operation.

Let me just quickly comment, before I go into the bill itself, that the member for Cochrane North, the parliamentary assistant to the Minister of Natural Resources, seemed to put money before safety. I just want to refresh his

memory. His former colleague in the House, Mike Breaugh, strongly supported the licensing of motor boat operators. Then, all of a sudden, the bureaucrats got to the member. The bureaucrats seem to have gotten to him and given him that line, saying to him that all of these tourists are coming to our country and if we do license them, my golly, we will lose all this money. Forget about the deaths and the irresponsibility. Anyhow, I just want to remind him to be careful of those briefing notes he gets. He should go back to his conscience and it will lead him much better.

My colleague the member for Simcoe East had noted earlier, in 1988, that there were 54 fatalities due to boating accidents in Ontario—54 too many. It does appear that there is a growing public safety concern with regard to the operation of motor boats, because between 1984 and 1989 there were over 288 people killed in boating accidents. As the member stated, now it is over 300 people who have died because of boating accidents.

1020

At present there are over 1.5 million boats in Ontario waterways and the traffic has increased immensely. The size and the speed have also increased and the irresponsible manner of operating these boats seems to have increased. It is very common to find 11-year-olds or 12-year-olds speeding at 60 miles an hour along the waterways without a licence whatsoever. Incidents have been seen in the headlines of the paper where an individual was run over by a boat and killed on the spot while bathing.

In policing these, the OPP have a very difficult job. Currently, there are just about 105 boats and 260 officers assigned to patrol the waterways of the entire province. In addition to this there are approximately 36 RCMP boats. There are some Canadian Coast Guard search-and-rescue teams and the marine units of some urban police departments. Marine police officials have reported being often overworked and they are understaffed.

At some time an interministerial committee task force was led by the Ministry of Natural Resources, and I would ask my colleague the parliamentary assistant for Natural Resources to check on that. Give them a call and see if they are still in operation and find out what they are doing in that respect. They were supposed to examine this issue, particularly as it really pertains to certain jurisdictional questions. We tried to contact them just to get an update and at the time of coming to the House we were unable to get information from them.

There are other people of course who are concerned about this licensing. The Ontario Marina Operators Association has criticized a proposal to license the motor boat operation and our colleagues here are quite interested to find out why they would resist this. They maintain that the real issue is the need for mandatory safety and education programs. I feel too that yes, it is a very important issue that must be addressed, safety and education. My colleague the member for Simcoe East stated that people need to be educated, to go on courses to learn that and maybe improve that.

In the meantime, licensing brings a sort of responsibility to it. It brings a serious approach to things. They realize that it is something to be maintained and they would not

like to lose that. So I think in licensing these motor boats we bring some order to the scene. Of course, as I have laid out earlier on, there are areas in which we have to make sure that if we bring laws into place they must be properly enforced.

We must of course take heed of the concern of the marina association, which said that we must get enough police on the waterways to enforce laws. The government said it cannot afford to do that. We cannot afford not to do that, because in the meantime we will get rid of all those irresponsible people and in the meantime we are to make sure that before someone gets a licence he has studied and understands what he is doing and not just maybe learned from his father or by watching and trial and error, in the process causing lives to be lost on the waterways.

We must make sure that history comes into place here. Where did we stand? I would remind the honourable member that the member for Oshawa at that time, Mike Breaugh, supported that. I just cannot understand at this moment how they have gone through a change of heart. The party that concerns itself with the common people and the concerns of human beings is saying, "Careful, we may lose some money from our resources and revenue from tourism."

In 1989 the Premier of the day, David Peterson, had indicated that his government would be taking steps to regulate boaters. My colleague in the House today, the member for Mississauga North, was reviewing it at that time to see if there was an effective way that could be done.

The former Minister of Transportation, Bill Wrye, noted that there were some concerns that we should look at. One of the two main factors that had prevented immediate action by the government was looking at the cost of the policing of the waterway and to work out the jurisdictional areas. That of course can be done. We know that the federal government is responsible for the Canada Shipping Act and the Navigable Waters Protection Act, but that does not stop us from making sure that those who are handling motor boats on those waterways are properly licensed. We know too that legislation regarding drinking alcohol on boats is also a federal matter, but we know that most of the individuals who are dying are Ontarians and we must protect our people.

We know too that licences are not required for motor vehicle operators if vehicles are operated on private property. We know about snowmobiles jumping over streets. Young five-, 10- and 11-year-olds are doing this. Sometimes, as a matter of fact, even the 11-year-olds are less irresponsible than some of the adults. But again, as I said, licensing brings about a control and a better sense of responsibility. Quite often the police officials have commented on the large number of the unlicensed individuals believed to be operating motor vehicles on public roads. We have those areas to be addressed too.

I support this bill in principle. Of course, public safety needs to be addressed. At the same time, work will have to be done to ensure that the legislation is enforceable in a meaningful way. That can be done. Just to reject it outright would be very irresponsible of this House. We need to

work towards an effective means to ensure that the public safety on the province's waterways is increased.

I would strongly like to see that Bill 37 goes through second reading. If there are amendments to be done, I am sure that the honourable member for Simcoe East will gladly accommodate that. I have to emphasize again, let's put people before money because people are more important than money.

1030

Mr Harnick: I too am pleased to have the opportunity to speak today about Bill 37, the bill introduced by the member for Simcoe East.

It is interesting to note that as I look around this Legislature this morning I see the member for Durham Centre, the member for Durham West, the member for Kingston and The Islands, the member for Simcoe Centre, the member for Muskoka-Georgian Bay and the member for Victoria-Haliburton. I am a boater myself and I can tell members that I have operated boats and travelled in the areas where all of these members reside.

Mr White: Not too often in Whitby, though.

Mr Harnick: I can tell the member for Durham Centre I have been in Whitby harbour many times.

I can tell members that from my experience in the waterways of each of these jurisdictions I have been in places where I have seen water skiers, fishermen, sailboats, large cruisers, small pleasure craft, small sailboats, rowboats and canoes all operating on inland lakes or in small areas of open water all at the same time. There is absolutely no question that in Ontario today there has been a tremendous proliferation of the number of people operating boats of all kinds.

However, the important thing to note is that the boats that can potentially be the source of the most danger to all boaters and to swimmers if not handled properly are power boats, particularly power boats in excess of 25 horsepower. That is why I applaud the initiative of the member for Simcoe East, because it is well known that we have had a number of very tragic accidents in Ontario in the last several years.

I point out some of the very unusual accidents that have happened in the last number of years, not just boats colliding with other boats, but the idea of a boat going into a rockface on a lake in Muskoka and people being fatally injured, or the idea of a family taking a boat out of Midland harbour early one summer evening to go from Midland harbour to Beausoleil Island, a short distance, and the wind coming up and the whole family dying when the boat capsized and they did not have proper lifesaving equipment on board. These are very serious safety problems that are being incurred by people using our waterways today.

I might point out to the Legislature that there is a system of licensing and testing all boaters who use Toronto harbour. Toronto harbour is a very congested area. It has aircraft coming in to land at the island airport, it has ferry boats going to each of the various islands, and it has the gaps, both the eastern and western gaps, that are difficult areas to navigate through. Because of that, the harbour police have instituted a form of testing and licensing of

people who are using the waterways on a regular basis, and to some degree that has been a successful program.

Today, there is no recognition per se in any comprehensive piece of legislation regarding pleasure craft, particularly pleasure craft of a motorized type in excess of 25 horsepower. What we have today is the Canada Shipping Act. The member for Cochrane North made mention of the Canada Shipping Act. Unfortunately, the Canada Shipping Act is designed to regulate the operation of large Great Lakes ships. By implication, there have been attempts, when necessary, to use the provisions of the Canada Shipping Act with respect to pleasure craft. It has not been a suitable bill to really regulate the waterways of this province in so far as their use by pleasure craft is concerned.

One of the things that comes to mind when one reads the bill of the member for Simcoe East is the aspect of enforcement and the difficulty that police will have enforcing the provisions of this bill. I acknowledge that in fact it will be very difficult to police this bill, but that is not the intent of the bill. The intent of the bill is to provide for safety and education and training. Granted, there has to be some enforcement, but the other aspects of the bill—and I urge the members to listen to these aspects—the education, training and safety aspects of this bill are what it is really all about. There will always be difficulty in terms of enforcement, but the fact that this bill could become law would enhance the opportunity for education, training and safety on our waterways.

The important aspects of this bill, I submit, are in section 4. Section 4 reads as follows:

"The minister or any person authorized in writing by the minister shall issue a motor boat operator's licence to any person who applies in accordance with the regulations, pays the prescribed fee, and"—these are the important aspects—"is at least 12 years of age and has successfully completed a motor boat operation course in accordance with the regulations; or is at least 16 years of age and has successfully completed a written examination in accordance with the regulations."

What is very important about this bill is that young people who are learning about the operation of boats today will, by necessity, have to learn what it means to safely operate a motor boat.

Let me point out some of the aspects of operating a motor boat that these courses and these examinations could cover. They could encompass the necessity to wear lifejackets, the knowledge that a person would have to have in order to be capable of performing a rescue, having the proper safety equipment on board a boat and the idea and the aspect of knowing how to navigate in our waterways.

I might tell members that from Midland to Bing Inlet is probably one of the busiest waterways in this country today. It is an inland waterway—a magnificent waterway, I might add—that goes up the inside shore of the eastern side of Georgian Bay. If anyone ever has the opportunity to go there and see the magnificence of this waterway, he should certainly not hesitate. But this waterway is much akin to a highway. It is a marked channel. One has to be familiar with the marking system. One has to respect that

there are boats of different types—sailboats, canoes, small craft where people are fishing and bigger pleasure craft—going up and down that waterway and it is very important that people know how to navigate, because that is now basic on this highway-like waterway.

The other aspect that would be taught in terms of these courses would be the idea that you do not drink when you are on a boat. You might drink after you throw the anchor and you cook your dinner and spend your evening in a quiet spot. You might have a bottle of beer or you might have a glass of wine, but you certainly do not do it while you are under way.

The other aspect is, how do you handle an emergency situation? What if you have a mechanical failure in your boat? How do you handle those situations? What about the use of a radio? There is a proliferation of boaters who have radio systems in their boats, but they are not licensed to use those. They clog the airwaves and they do not know how to use those radios in the event of an emergency. All of that could be accomplished by having this bill enacted.

The other aspect is the idea of handling gasoline on boats. Fires, I might tell members, are devastating things when they occur on board a boat. In my former career as a lawyer, I acted for a family that had two children who were on board a boat that exploded while it was being filled with gas. The devastation to this family is indescribable. These two young lads were burned so badly that it really affected and will continue to affect their lives. That is why this bill that promotes education and safety by way of licensing is a very important bill, and that is why I would urge that the members opposite consider it and keep it alive.

I have a few final remarks, and I see I have some time remaining. I would like to respond to some of the remarks of the member for Cochrane North. He stated that accidents and horsepower bear no relationship. I can tell members that the bigger the boat, the more destruction it can do and the more difficult it is for a young person to handle, because when that throttle goes forward and that boat starts to move, it becomes very difficult for a young person to control it, so I cannot subscribe to what he tells us. The bigger the boat, the more difficult it is to maintain at high speeds and the more devastating the accident that can occur. Granted, there are accidents with smaller boats and there always will be. Boats tip over; people do stupid things, but you cannot underestimate the idea of horsepower, and the higher the horsepower, the more the devastation can be.

1040

The other aspect that my friend across the way mentioned was that it would affect American boats coming up here. There may be some difficulty in terms of a transition period, I acknowledge that, but it would make it more imperative for boats coming here from other jurisdictions surrounding us to be familiar with the power squadron courses that are available in those jurisdictions, or perhaps, if Ontario takes the lead, which we would be doing by voting in favour of this bill, then other jurisdictions surrounding us will follow that lead and make their own waterways as safe as our waterways would be.

The other aspect of this bill is the idea of the Criminal Code removing the right of people to operate boats if negligent or reckless. Those are pretty difficult things to prove in an area that I have already stated is difficult to enforce, but that is not the emphasis of this bill. The emphasis of this bill is not enforcement; it is not charging people who make errors. The emphasis of this bill is to promote education and safety on our waterways. The idea of having to license boats and to license individuals, particularly young people, is something that will promote safety, and that is what this bill is directed to.

As my friend the member for Scarborough North spoke about earlier, we have many problems in terms of safety on our waterways, but he acknowledged that protection of the public is what we are after here, and that the best way to protect the public is by educating it. It may be difficult to educate people who believe they are competent boaters and who take their children out to educate them when they really do not have the level of competence. What this bill will do effectively, from the moment it becomes law, is that it will start to educate young people so that 10 years from now and 20 years from now, when there are more and more boats on our waterways, we will not have these very severe accidents and injuries.

Mr Dadamo: I wish to speak to Bill 37, introduced by the member for Simcoe East this morning and given first reading last December. As this bill is now again before the House for second reading, I would like to point out to the House that the Ministry of Transportation well agrees with the Ministry of Natural Resources that this legislation does go beyond our constitutional jurisdiction.

We understand, and of course to some degree we support the member's intent here. The member is not here now, but the member for Scarborough North this morning mentioned that a former member of this side supported a similar bill. He is right. However, that was for 10 horsepower. This bill concerns itself with 25 horsepower or more. Bill 73 from 1989, section 40a, says, "This part applies only in respect of motor boats propelled by engines of at least 10 horsepower," and "subsection (1) does not apply to a person who is the resident of another province, country or state, is a holder of a motor boat operator's licence issued by the province, country or state and is at least 12 years of age."

I also understand the member's concern about boating safety. However, this bill does not adequately address this issue.

First, the proposed bill fails to cover the majority of craft which are involved in boating fatalities. Half of the boating fatalities each year are associated with vessels under 5.5 metres in length and which usually have a motor of less than 25 horsepower. Another 25% of boating fatalities involve canoes.

Second, controls proposed by Bill 37 already exist in other legislation. Unsafe boating practices are dealt with in the small vessels regulation under the Canada Shipping Act, while impaired boating is an offence under the Criminal Code.

The third major concern is the fact that no other jurisdiction in North America requires licensing of boat operators.

There are 3.5 million boats registered in states that border on the Great Lakes. Many American pleasure boaters use their vessels to visit the province of Ontario. This bill would bar these people from bringing their boats into Ontario waters. I do not think our tourist industry would support this kind of restriction. Of course, in the area I come from, Windsor, on the Detroit River, this would restrict the Americans from coming over to Windsor.

On top of these concerns is the fact that establishing and operating a boat operator licensing system would be very costly. It makes far more sense to continue our current efforts to promote boating safety in Ontario. The Ministry of Natural Resources, the Ontario Provincial Police, the RCMP and municipal police forces all carry out boating safety programs. As a matter of fact, since the OPP began its major safety campaign in 1985, the number of boating fatalities has declined considerably—from 100 in 1985 to about 45 in 1987—and these efforts are continuing. I am sure the parliamentary assistant to the Solicitor General has provided more details to the House this morning.

In conclusion, at the present time we are unable to support this particular proposal for the reasons I have outlined. Just to go back: first, it does not deal with the majority of vessels involved in boating fatalities; second, it would have a detrimental impact on tourism in this province, and of course it would be very expensive.

Mr Arnott: I am very pleased to rise and indicate my support for the member for Simcoe East and his private member's bill, Bill 37, An Act to provide for the Licensing of Motor Boat Operators.

The Deputy Speaker: Order, please. There is no time left. I am advised by the table that there is no time left.

Mr Harnick: On a point of order: I have been advised by the member from Mississauga that they had four minutes left on their time and wish to allocate it to us.

The Deputy Speaker: Is there unanimous consent that the four minutes be passed on? Agreed to.

Mr Arnott: As I was saying, I am pleased to support this initiative by the member for Simcoe East. I want to compliment him on his persistence, his perseverance and his good common sense, which he always exhibits in this House when he is presenting his private member's bills. I am very pleased to indicate my support.

I am disappointed to hear the member for Cochrane North indicate he will not be supporting it, as well as the member for Windsor-Sandwich, and I listened closely to the comments they have made. With respect to the member for Cochrane North, when he talks about the fact that there is a tenuous relationship between speed and accidents, I do not believe that is the case. If you look at the speed that some of the boats are going, certainly, in terms of accidents on the water, increased speed means there is less reaction time, and less reaction time generally means there is more chance of having an accident. I just do not understand that submission by the member.

My friend the member for Windsor-Sandwich apparently had a briefing note sent in that indicated that the former member for Oshawa did in fact support a bill of this nature, but it was a 10-horsepower motor boat they

wanted to regulate. I do not see that there is a big difference there, and I am disappointed by his contention that he will not support this bill.

This issue is public safety. I do not think we have a more compelling issue that we should address. It is an overriding issue, and that is the main reason why I can say that I completely support in principle the intention of the bill. In my own, I would admit limited, experience with boating—when we go boating my wife drives the boat, so I cannot say that I am a particularly experienced boat driver, but at my wife's family's cottage in the Loring-Restoule area, we see a lot of pleasure craft boating. Clear Lake has no access from rivers or other lakes, so the amount of traffic is limited. But close by is Le Grou Lake, with which I have some experience, where there is a great deal of access and a great deal of congestion, and speeding boats have in the past caused accidents.

In my own riding, in the areas in West Garafraxa township and in Peel township, Maryborough township around the village of Drayton, there are two lakes, Lake Belwood and Conestogo Lake, both administered by the Grand River Conservation Authority, where there have been fatalities. At Lake Belwood a couple of years ago there was an accident with a speeding boat. It involved, I believe, a water skier. The water skier was killed.

I just cannot imagine that this government would not look at those aspects with greater interest than the excuses it has made. I am disappointed in it and I hope that there are enough members in this House to pass this bill.

1050

Mr Mills: I am very pleased to stand in the House today and respond to Bill 37, An Act to provide for the Licensing of Motor Boat Operators, presented by—and I should say this—a friend and a colleague, the member for Simcoe East. The member and I go back over a number of years. We shared many occasions together and I also shared living in the Lake Simcoe area for almost 20 years. I know the member is presenting a bill that he sees is very much needed in that area. I have a lot of empathy with some of the things he said here this morning.

I would like to make some comments here today as the parliamentary assistant to the Solicitor General. Of course, everyone here knows that the promotion of safe boating is an important duty and function of the Ministry of the Solicitor General in Ontario.

However, I would like to remind members that the licensing of boating operators falls outside our provincial jurisdiction. As Bill 37 restricts the right to navigate through a requirement of licensing, it does go beyond the provincial powers. We cannot introduce something like this without the agreement of the federal government, the government of Canada.

I would like to inform the members today that 50% of all the boating fatalities are associated with power boats under 18 feet, and they are usually under 25 horsepower; another 25% of the fatalities, as my colleague the member for Windsor-Sandwich has said, result from accidents in canoes. It should be evident, then, that the types of boating

that give rise to the vast majority of deaths would remain somewhat untouched by this legislation.

Further, I would like to remind members that other issues raised by Bill 37, safe boating and impaired boating, are already addressed under existing legislation.

The implementation of the marine awareness program was followed by a decrease in the number of boating fatalities in Ontario from a high of 100 in 1985. The number has dropped progressively to 55 in 1986 and 45 in 1987. But I must say that in 1990 there were 62. Though this has gone up, the number of boaters has increased significantly and the per capita number of fatalities is thus significantly lower than in 1985.

While much of the responsibility for waterways policing falls within federal jurisdiction, the Ministry of the Solicitor General is doing all possible to ensure the safety of Ontario waterways. We have implemented some fine boating safety programs. The OPP marine unit currently consists of 105 boats and 150 uniformed policemen, and each of the 16 OPP districts has a marine co-ordinator to ensure the necessary police presence on Ontario waterways. Each OPP marine unit is equipped with an approved screening device to enforce the legislation regarding impaired boating.

The OPP's marine awareness program, which I have already spoken of, alerts the public to the dangers of unsafe boating. The program, in part, is delivered through a 45-foot display trailer equipped with teaching aids to demonstrate in the areas where people are likely to take up boating. That is where this is set up. Under the OPP marine awareness program, pamphlets and posters on impaired driving are widely distributed everywhere.

Members will be pleased and interested to learn that the implementation of the marine awareness program has resulted in a per capita decrease in the number of boating fatalities, even while the number of Ontario boaters has increased significantly.

In May 1989, an agreement between the OPP and the RCMP ensures co-operation for policing on the waterways of Lake Erie, on Georgian Bay, the Kawartha Lakes and the Ottawa and St Lawrence rivers.

I would like, at this point in time, to enter on the record the high regard the public has for the policing capabilities of the OPP, the municipal police and the RCMP carrying out the safety of the waters in Ontario.

In conclusion, I would just like to say that the Ministry of the Solicitor General remains committed to reducing the number of boating fatalities through enforcement, through innovative public education programs and, above all, through the co-operation of all those people who operate boats.

In closing, I would like to thank the member for Simcoe East. I think his bill is very well placed and put. It has some flaws that I see. As an individual, I am very pleased with the effort he has brought forward here in the House today regarding some concerns that we all have about safety on the waterways of Ontario.

Mr McLean: I would like to thank those members that participated in the discussion of this bill this morning: the member for Cochrane North, the member for Scarborough

North, the member for Willowdale, the member for Windsor-Sandwich, the member for Wellington, and the member for Durham East. I welcome the comments and appreciate the input the members have had, although I am not overly enthused with some of the prepared remarks I have heard, due to the fact that I am not getting a good feeling about this bill being able to pass.

I would hope they would consider this. It is important for the safety and the education of people in Ontario who operate boats that there be something done. I would urge members to have this bill sent to committee. I can say that if there are some parts of this bill they do not agree with and do not like, that is fine. There are some things there that I see could be changed, and should be changed, and I see nothing wrong with that.

Some say it is not our jurisdiction. Maybe it is not all our jurisdiction, but let us have a further debate in committee, let us have some people in to appear before the committee, let us have some input from the public so that we can have a safer waterway. That is really my major concern. It is the people who are buying boats who do not know how to operate them without any courses at all. That is my number one concern, that people do have some knowledge of what a chart is, what the waterway is all about, and it is the safety and educational aspect of this bill.

I would urge the members to accept a recommendation to send it to committee to have a full and open debate.

1100

WORKER OWNERSHIP

Mr Martin moved resolution 14:

That in the opinion of this House, the government of Ontario should support worker ownership as a significant initiative in the restructuring of the province's economy by:

1. developing an interministerial committee comprised of representatives from the ministries of Consumer and Commercial Relations, Industry, Trade and Technology, Labour and Financial Institutions;
2. providing development funds and seed capital for a number of worker-owned business models;
3. establishing a financial incentives program to provide venture and expansion capital to new and existing projects;
4. amending existing tax law and regulations and developing new legislation which would enable worker-owned enterprises to compete on an equal basis with other business forms;
5. implementing an interim financial mechanism (to be operative while the above steps are implemented) to compensate for the financial penalties presently incurred because of discriminatory tax law and the inability of worker-owned businesses to access existing government programs;
6. developing curriculum and programs through the Ministry of Education which would support and encourage awareness of, and participation in, worker-owned and managed workplaces;

7. encouraging the Ministry of Colleges and Universities to take the initiative in providing training in the management skills appropriate for worker-owned and managed businesses;

8. including a member of the emerging Worker Co-operative Association on the Premier's Council on the Economy and Quality of Life.

Mr Martin: This resolution that I am presenting today is not a new idea, simply one whose time has come, I believe, in this province. The time has come for this government to take this type of initiative seriously and get on with it.

Worker ownership has been a phenomenon in Europe for a number of years. One that particularly jumps to my mind and inspires me is an outfit in the Basque area of Spain in the community of Mondragon. Worker ownership has also been a significant part of industrial activity in the United States.

I am aware of this because of things that are happening in my own community of Sault Ste Marie and Algoma Steel. Particularly in the steel industry, many steel companies that were experiencing difficulty in the early 1980s have now restructured. Worker ownership is a significant part of the action there and these companies are very successful.

Worker ownership has also been a part of the history of many parts of Canada, particularly in the form of worker co-ops. It is important to note, though, that even though there has been significant activity in Canada to date around the issue of worker ownership or worker control of the place of work, while there are 375 such operations in the country at the moment, only three of those can be found in Ontario. I suggest that it is because the legislative climate in this province is not conducive to that kind of idea, which is why I bring this resolution forward today.

Certainly the previous government's Premier's Council on the economy suggested that worker ownership be looked at as a significant part of any restructuring of the economy of this province, and I am simply today building on that and suggesting that we as a government take that and move forward with it.

Our government in its speech from the throne spoke of new strategies and new partnerships. Again, when we delivered our budget in the House not so long ago, I believe it reflected a new attitude around what it will take to jumpstart this economy. We clearly indicated our intention to invest in people. Today I ask this government to remove any impediment to the next step happening, which is people investing in themselves.

I think it is important to reflect, as we talk about this resolution today, on the present situation. I remember being in New Brunswick in 1987 as part of a Governor General study tour and meeting with management and labour and other folks in communities and listening to them as they shared with us the terrible impact of the changing way the economy is being done in the world today on their particular region of this country where unemployment was astronomical. They seemed to be without any answers as to how they might regain control of their economy and make life better for everybody who lived in that province.

I dare say that we in the rest of Canada are beginning to feel that particular influence even more dramatically today than we did back then. I almost felt, as I looked at what was happening in New Brunswick, that part of the country was a Third World experience. Living in a smaller, one-industry community and having friends in many small, one-industry communities in northern Ontario, one gets the feeling sometimes that maybe we are developing Third World economy up there too.

I think some of the thoughts in the resolution that I am presenting today might give us another piece to work with as all of us who live up there attempt to come to terms with what our economy will look like as it evolves and as it gets better, as we know it will, because we are not going to stop certainly with this resolution here today.

Our present situation is one that has been evolving over the last 10 years and certainly a lot longer than that. The emergence of the global economy and what that means, new trade arrangements that we have entered into with the United States and possibly soon with Mexico, the changing fundamental shape of industry as we move from smoke tech to high tech all have a tremendous impact on our economy and on our ability to do business.

The most obvious impact of the changing economic environment is the increasing number of industrial enterprises either closing down or moving to the United States or Mexico to do business. This impacts most dramatically on smaller communities dependent on one major company for their livelihood. Many people and groups in these communities have been trying for years to stimulate new economic activity, without much success I must add.

So what do we do? Do we continue to wait for that fairy godmother to land that big Honda plant in our city as opposed to some other city, or do we do what many of us have actually been trying to do over the last little bit, which is look to the community itself, look to the resources of that community, to the resources of that area to actually build an economy and build some industry that speaks to what we have there?

As I have said before, certainly the greatest resource of any community is the people who live in it, the ideas they have, the talents they have developed, the experience they have got over the years by working. We should be somehow taking advantage of that and building economies that involve everybody to the limit of their potential.

In saying that, we obviously need to look at initiatives such as the one that I am introducing today which, as I have said before, is actually not a new idea, simply an idea whose time has come, I believe, in the province of Ontario and which we must do something about in terms of the present legislation as it exists.

I presented my ideas today in the form of a resolution because I know that our government, in various ministries picking up the pieces from the previous government, is looking at this. I think, though, it is time that we brought it all together under the guidance of one joint committee, which is the first piece of the resolution that I am presenting. If the whole House today got together behind this resolution, that in fact might happen and we might move this thing ahead.

1110

Worker ownership is a viable, proven form of business. It tends to take root in areas in which other forms of management and ownership have failed, where there has been unemployment and where plants have closed, where there has been a lack of a sense of adventure and risk-taking. God knows, any of us looking at our own communities can see that we all suffer from some degree of that. Because workers own and manage the operation and share in the decisions and profits of their own enterprise, there is a commitment to success in worker-owned businesses. There is thus realistic planning and a spirit of interdependence in the business itself and in the wider community.

An example of, rather than a competitor with, free enterprise, the worker ownership idea ensures that profits stay in a local community. Such an approach is to be lauded, I believe, and encouraged in these times of instability in Ontario.

Although there is ample evidence of the beneficial nature of the worker ownership approach to the workplace, there are blatant blocks in the way of developing this form of business. Tax laws, for example, inhibit or discourage ownership in common by disallowing access to capital gains incentives. This is just one of many issues requiring attention at this time.

I believe it is imperative that we as legislators respond by doing what is in our power to improve the climate and the processes which presently impede worker ownership in this province. This is my agenda in presenting the resolution that I do today for debate. Again I ask for members' support for this important venture and for their continued attention to this opportunity to strengthen Ontario.

Mr Offer: It is a pleasure for me to partake in this debate this morning and I state at the outset that I will be speaking in support of the resolution.

The resolution is very lengthy indeed and I do not want to dwell on any of the particulars of the resolution contained in the words in each of the eight points, but rather to speak about the principle and the direction of the resolution, which is one I have indicated earlier I do support.

However, I state to the honourable member that it would be, I think, very nice to see if he would take this type of resolution to his own Treasurer and to his own Premier for action, because to date there has been no action on the government side of this Legislature in terms of meeting the needs, meeting the issues that are contained within this resolution.

I only refer back to the last budget. The last budget contained a deficit of almost \$10 billion and in it there was not one single new job created. Competitiveness in this province has been eroded. We have had our credit rating reduced and indeed our ability to compete, and for many areas across this province our ability in many sectors to exist is being called into question.

I believe there is an obligation. Certainly we on the opposition side and the third party side have been bringing it forward to the government side. But I believe it to be an obligation on the part of the member to take this particular matter, these particular issues, the principles contained and embraced in this to his own Treasurer and to his own

Premier so we can get this province back on the tracks to recovery and provide the type of remedies which are needed by so many people in so many areas in this province.

We have had and still are in a recession where 250,000 jobs have been lost, where, as all members of this Legislature will know, it was not just a matter of a cyclical nature. Almost 50% of that job loss was not just job loss but indeed job disappearance: companies closing, companies moving out of the jurisdiction, things that will stay with this province for many years to come. It remains the responsibility and the obligation of the government of the province to deal with issues of that nature. To date we have not had that type of commitment.

The type of principles brought forward in the honourable member's resolution are ones which I believe should be examined, should be determined, should be analysed as to their viability. In passing, I note that much of the substance of the resolution is in areas where the Ministry of Industry, Trade and Technology and the Ontario development branch could be of great help. I believe that much of what is contained in the resolution was in fact in existence, put into place by the previous Liberal government and, I dare say, with the Conservative government of two or three sessions ago.

It is up to this government now in existence to make certain that those programs remain viable so that workers who have this type of initiative, this kind of vision, in many ways, can access the types of programs which previous governments put in so that the objective as envisioned in this particular resolution can be met. It will be up to the government to make certain that the good work of previous governments remains in existence and indeed is enhanced. To date, all we see is the gutting of programs which could have been used by workers for this particular resolution.

I know there are other members of our caucus who want to discuss this particular matter. In closing, I think a great deal of work could be done in the field of education. I know the member's resolution speaks well of that and I am certainly in full support of that. I believe all of these types of initiatives and alternatives to workers through worker ownership can be promoted through an in-depth form of education, and I believe there is good work that can still be done. On that, I strongly support this resolution, but I urge the member to take the principles and substance of this resolution to his Premier and to his Treasurer so that some work can be done to enhance the competitiveness of this province.

Mr Carr: I am pleased to rise and speak on this occasion. I would like to start off by thanking the member for taking the initiative to introduce this. I was very pleased to hear that he also said the government will be taking other new initiatives and that we have to look at new and creative ways, and for that I applaud him.

I am also pleased that the member for Chatham-Kent is here this morning as well. In fact, we had a very good discussion last night at the east door on many of these same initiatives. It was very helpful to understand and appreciate some of the feelings of somebody who has been involved in a lot of the union negotiations, so hopefully we

can pass on some of the comments we had last night and, if I can remember them all, go through them again, because it was very helpful to understand and appreciate where we are at. We definitely need to have some creative new ideas.

I will say at the outset that I am supportive of the idea. Of course, in the resolution the big problem is that you do not get too many of the details, so we will be looking forward to getting a little more into some of the meat. But the principles are very acceptable. I have some concerns and hope I can lay them out in the short time I have this morning.

We talk about having the interministerial committees. I guess it is one of the first points and while I favour that, one of the big problems and concerns I have as a new member coming in is the overlap. When you take a look at it and see the number of committees we have, and we strike committees, if we can somehow get rid of the entanglement—there is a great deal of duplication, and I think the member would agree. If we can very clearly lay out the responsibilities, I think that would be very helpful. Included in that committee, what I would like to see also is some representation from the Ministry of Revenue, because of course the whole tax question that needs to be looked at should be included. I would add that point.

One suggestion I may make is that when we talk about taxes, as the member has in this, whether this would possibly be a good chance for the Fair Tax Commission to look at this whole idea and initiative. Of course they have a lot of things on their plate, but on the whole idea of the committee reviewing the tax structure, it might be a good chance for the Fair Tax Commission to do that.

1120

The next point he makes involves the development funds and the seed capital. Of course, this is where it gets a little difficult because in a resolution you do not get into any of the details. I fully expect that, but there is no definition of what type the development funds will be, whether it will be loans, grants or something else or something new. There are some of the details we would like to get in as we go. We also do not know what model any of this would be following, if in fact we are going to blaze some new trails or what some of the procedures will be.

The third point that comes in is about the financial initiatives. I will say to him very clearly what we need to do, and it has been pointed out by the previous speaker. We need to make sure the tax structure for all businesses is such that we do not impede upon businesses and help to make them more competitive. We should not just do it for this type of program; we should be attempting to do it for all business.

As my friend the member for Chatham-Kent talked about last night, we have to realize that when businesses fail, everybody loses. Management and workers lose their jobs. If we can do anything to improve the co-operation between the business community and labour, then we will have done our jobs. If nothing else comes from this government, if we can improve that we will have taken a major step forward, because unfortunately, all too often in

this province we have not been progressive in our thinking. I say that not blaming any particular side.

The Canadian Federation of Labour currently sponsors a Canadian worker venture fund, which allows for tax credits for any investors. They have called on the province to take a look at that. I believe Saskatchewan is one of the few provinces that has instituted something in their area for matching tax credits. That would be helpful. If somebody does invest through this there will be some tax credits available. In fact, the last Progressive Conservative government sponsored the small business development corporation, which attempted to provide incentives for small business. That is really what we are talking about, providing incentives so that the workers can put together a program and remain viable.

The OFL submitted to the previous government, I guess, some ideas for a fund that would focus on environmental technology and affordable housing. They got very specific in a couple of areas. It would be interesting to see what some of the proposals were and how they can be incorporated, although one of the things we should do is to take a look very clearly at some of the existing business and what they say the big problem is in this province. As members know, some of the people from groups like the Canadian Federation of Independent Business say it has less to do with the venture capital, getting a business up off the ground, and more with the tax structure in this province. They say the number one impediment to creating a new business in this province is not availability of funds, it is the fact that people realize what you get in return after paying all the taxes is very little. We need to take a very hard look at what we are going to do to be able to say, after all this comes through, that the company will be able to remain viable, because as it stands now of course we are taxing business right out of this province.

On point 4, about amending existing tax laws and regulations, I think that needs to be done. We need to make this province more competitive. Anything that can be done in that area will be well worth while.

In some of the other areas he talks about, developing some of the curriculum through the colleges and universities and the Ministry of Education, I think that is a good program. As we all realize, the curriculum that was correct in the past is not necessarily what needs to be done for today. We should have programs that teach our students both at the junior level and in colleges and universities how to properly analyse situations, how to take corrective action, how to implement solutions, how to sustain the solutions to problems and how to reinforce them. All the things that have become part of modern management techniques should be learned, because regardless of whether you are somebody who never gets the chance to manage, being able to understand and appreciate this will be very helpful. Of course, many people who go into business may start out not managing anybody and then in a couple of years move up, so anything we can do to enhance and educate the young people would be very helpful. It is my personal belief that the overall economic benefits in this province will be in direct relation to the skills we give our

workers and our young people. As we go forward, I would like to again commend the member for taking the initiative.

I think it is unfortunate that quite often we have had to face a major crisis in this area before we have really taken a hard look at that, and that is unfortunate. But we are seeing a lot of co-operation between the steelworkers, for example—I had a chance to meet briefly with Mr Gerard in the hall when he was here—and we need to come up with new initiatives and new ideas. This is one time when all three parties should be trying to put their collective heads together and come up with some concrete proposals that will help to improve the economic wellbeing of all the citizens, and in particular the regions that are literally facing devastation in this province.

Those would be a couple of my preliminary remarks. I will leave some time for one of my colleagues to proceed to speak on this topic as well.

Mr Winninger: I am pleased to speak in support of the resolution of the member for Sault Ste Marie.

A social economy is a humane, democratic system set up by and for the people. A new relationship is called for in such a system between labour, management and capital, and in this new relationship capital is subordinated to labour. There is more concern with ethics, equality and investment in a green environmental policy, certainly in this time of economic uncertainty. The economic uncertainty is certainly exacerbated in the north, and the member for Sault Ste Marie has spoken to that problem. But certainly in southwestern Ontario, in the riding I represent, London South, we too have suffered a great deal of economic dislocation as a result of certain federal policies, including high interest rates, a high dollar, GST and free trade. Numerous jobs have been lost in my riding for those very reasons.

In this time of economic uncertainty, great creativity must be shown in the manner in which we exercise change in the marketplace. What we need in Ontario is a self-sustaining economic development program that creates and maintains jobs, and one viable alternative to what we have right now is to reward co-operative entrepreneurship at the same level as private entrepreneurship.

With co-operative management, as the member for Sault Ste Marie has indicated, workers are allowed to participate in the creation of goals and strategies. Company democracy becomes an unalterable principle. Each worker, despite the level of his or her status or contribution, investment, has only one vote and not more than one vote. In Ontario we have only eight worker co-operatives, compared to Quebec, which has 217 worker co-operatives, and I believe that by developing the co-operative alternative in Ontario we can secure for ourselves a more progressive economy. Why do I say this? Because co-operatives provide more meaningful and stable work, a better working environment for the workers and a more democratic workplace, where the workers have a say in ultimate decisions that management takes. There is more community concern and profits stay in the area. There is more productivity and reinvestment and workers have a sense of control.

The Mondragon experiment in the northern Basque country of Spain is a singular illustration of a large-scale

commercial co-operative. It has been described as a profound example of successful worker ownership, labour-management co-operation and entrepreneurial initiative, economic growth and creative social commitment. Its 20,000 members consist of fewer than 173 out of a total of 1,100 co-operatives in Spain.

Worker co-ops have also been successful in Great Britain, Hungary, Italy, Poland and Yugoslavia. The report of the Premier's Council—and I am referring to the last government—entitled *Competing in the New Global Economy*, recommended the development of a comprehensive people's strategy. The Premier's Council observed:

"Successful restructuring of our core industries will depend upon our ability to retrain displaced workers and broaden and deepen the skills of those who remain in our resource-based and mature manufacturing sectors. The development of a larger base of high-growth industries and threshold companies will require a well-educated supply of workers in those industries and firms. In short, if we are not capable of providing a flexible workforce with basic and applied skills at the level of our leading competitors, the agenda we have set out in this report cannot succeed."

The challenge of maintaining a flexible and competitive workforce may well be met by an economic development strategy with an accent on worker co-operatives.

1130

Mr Cordiano: I want to stand up and applaud the member for Sault Ste Marie, because he has taken the initiative that I think should be taken by his government. But I want him to send this message to his Treasurer as well and get it through to him that he has to bring forward creative and innovative initiatives like the member's to bring about the restructuring of the economy. We have been saying this for six months. I have yet to see an initiative by this government, on the part of the Treasurer or on the part of the Minister of Industry, Trade and Technology, which matches the level of creativity and innovativeness that I have seen displayed this morning by this member's initiative.

Let me say this: The economy needs restructuring, and whether we like it or not, the restructuring is taking place. It could take place without our directing it, without our having a positive say on how that is done. Restructuring is taking place now and we are seeing a massive change in the economy, but I think we need to redirect that, make it positive, make it work for us and take advantage of that.

I would like to say to the member as well that I am not happy that this government did away with something the previous administration brought forward, the small business committee of parliamentary assistants. That was dissolved by this government.

I can see this initiative working wonderfully in the area of small and medium-sized firms. I think that is going to be a major thrust here. I think small business can flourish as a worker co-operative enterprise.

I also want to say at this point that I am glad there are members on the other side of the House who still think in entrepreneurial terms, and that capitalism is not entirely dead on that side of the House. The government has to

bring forward initiatives which seek to create new wealth, seek to create new jobs, and I have yet to see that. The budget that was presented just recently fails miserably to address those concerns, fails miserably to create new jobs.

That is something the government is going to have difficulty with in the future and I think the people of this province will not pass positive judgement on it because of that. They are going to see that this government is incapable of bringing forward the kinds of initiatives that are required, although we see today that this member is bringing forward an initiative that is important. I must say it is not a huge initiative, but it is one that is significant and I think the Treasurer has a lot to learn from what the member has done here today, so I would like to congratulate the member and say to him that I will support this resolution this morning.

Mrs Witmer: I would like to take this opportunity to congratulate the member for Sault Ste Marie. I am thoroughly excited and very pleased about the initiative and the resolution that he has introduced today. It demonstrates that there is a willingness on the part of the government to do whatever it can not only to sustain and keep the jobs that are presently in this province, but also to look at the possibility of creating new jobs. Certainly this worker ownership model would allow for this to happen, and I think we need to actively pursue this and look at what the benefits and the implications will be, so congratulations to the member for Sault Ste Marie for bringing this forward today.

I am going to deal with each one of the points the member has made here and just state some of my concerns or some of the support I would have for them.

He talks about the interministerial committee he would like to set up. I certainly do not have a problem with that. My question is, is there a committee perhaps already in existence that could look at that particular initiative, or do we need to spend more taxpayers' dollars in establishing another one?

I also believe very strongly that the ministries of Revenue and of Treasury and Economics need to be included, because there are some amendments here to the tax law, so these ministries certainly need to be included in those discussions.

The member talks about providing development funds and seed capital for a number of worker-owned business models. I do have a few questions here. There is no indication of what is involved. There is no definition of the type of development funds or the amount of seed capital to be provided by the government, or in what form. I guess I would ask if this is to be in the form of loans or grants or something other. Another question I would have is what models of worker-owned businesses would qualify for these funds and seed capital. Obviously, those are all questions that need to be considered, and obviously the member could not have conveyed all of this in the resolution.

The member talks about establishing financial incentives to provide venture and expansion capital to new and existing projects. Certainly this whole concept of providing incentives to business is something which I feel very strongly we need to support on all levels, and I believe we

need to direct it at all forms of business and not simply those which are worker-owned. If we are going to keep jobs in this province, we need to do whatever is possible to encourage the retention of jobs and also the creation of new ones, so we need to assist not only worker-owned business, but all business.

In point 4, the member talks about "amending existing tax law and regulations...." I believe very strongly that all businesses should be able to operate on a level playing field. I believe this is something the Fair Tax Commission could be taking a look at.

In point 5, the member talks about "implementing an interim financial mechanism...to compensate for the financial penalties...." I am not quite sure what he means when he talks about a discriminatory tax law. Again, I believe it is something which the committee on fair taxation should be looking at. Tax laws in this province should not be discriminatory towards any form of business, regardless of ownership.

The member talks in point 6 about "developing curriculum and programs through the Ministry of Education...." I guess with the background I have in education, that thought always frightens me because in the 10 years I was involved with education—we seem to be adding more and more courses to the curriculum at the present time. Although I very strongly support the inclusion of this type of program, I would suggest that we include it with the new curriculum that has just been introduced entitled Entrepreneurship. I believe it could very effectively become a part of that program and would prevent an unnecessary overburdening of the educational system.

In point 7, the member talks about "encouraging the Ministry of Colleges and Universities to take the initiative in providing training in the management skills appropriate for worker-owned and managed businesses." I would very strongly support that happening. I would like to see us move very quickly in that direction to make sure that becomes a reality. I think there is a tremendous need for that to occur.

Finally, in point 8, the member talks about "including a member of the Worker Co-operative Association on the Premier's Council on the Economy and Quality of Life." As he knows, labour and management are already both represented on this committee. However, because the membership is so extensive, it is certainly not going to make any difference whether we add one more individual or not, so that certainly could happen; there is certainly not a problem there.

In looking at this, I would just again mention that I think it is very important we do a complete cost analysis in order to determine the cost of the programs. Before we deal with any specific company, we need to take a look at the cost analysis and the viability of that company to see whether or not it is going to be successful as a worker-owned operation.

On the whole I support what is here, I congratulate the member and I hope that the government will go ahead and look at the benefits of this resolution.

1140

Mr G. Wilson: I am certainly pleased to be taking part in this debate that I think we will all agree has been very thorough, and I commend the member for Sault Ste Marie for bringing forth this resolution. I think all members who have spoken to it so far have shown that they have considered it very carefully and put a lot of thought into it.

Listening to the debate, one thing is emerging very clearly. It is that, as the member for Lawrence said, restructuring is taking place whether we want it or not, and it is just how we respond to that restructuring.

I should share a perhaps personal anecdote here in that I come from Timmins which, like Sault Ste Marie, is a northern town, a single-industry town. In fact, I made my way down south like so many of the people I grew up with because there was simply too limited a range of opportunities in the north. The reason was quite clear: Although the wealth of the gold mines was phenomenal, too little of it was staying in the north to develop industry and occupations that would keep the people who are already there employed. As the member for Sault Ste Marie well understands, when something devastates the single industry, of course that devastation occurs right through the community.

I think he has very effectively gone on to say that it is not only in single-industry towns that we are faced with this problem of how to find sustenance throughout the community. With the high level of unemployment and the job dislocation that we are faced with now, obviously there are things that are happening here that are very detrimental to community life and something has to be done.

I commend the member for Sault Ste Marie for raising the issue of worker co-ops as an alternative that should be looked at very seriously and, again, I think the members who have spoken in this debate have shown they have looked at it.

I think, though, that some of the principles that should be highlighted with worker co-ops include not simply their economic effectiveness, which some of the members on the other side have pointed to; I think one major element the member for Sault Ste Marie raised was the issue of democracy and the fact that the people who work in an industry should have some control over the things that are done in that industry, as against the model that we are following now, which is the capitalist system. Again, how it works out in single-industry towns leads to a lot of insecurity.

It comes down perhaps to a need-versus-greed outlook, and as long as investment occurs in industry simply to provide a return for people who have no direct interest in the outcome—that is, they do not live in the community where the industry is taking place—then many of the decisions that are going to be taken will be detrimental to the people who are living in the community. Again, I think the worker co-op model puts a brake on this in that the kind of industry that will be carried out will be much more responsive to community needs. I think the democratic model would lead to more responsiveness in this area.

One thing I would suggest to the member for Sault Ste Marie is that the idea be extended beyond a narrow

industrial approach into other kinds of institutions like non-profit institutions and indeed public institutions so that workers everywhere are encouraged to take an interest in and control over their working conditions in a much more active manner rather than simply reacting to the ideas of management, which again can often be detrimental to their interests.

I would like to suggest that this is an initiative, as the member has pointed out in his resolution, and there is a lot to be done about it. He has drawn to my attention a magazine called *Worker Co-op: The Voice of Economic Democracy* in Canada, which I hope will soon be in our legislative library. I think by using sources like this we can go beyond this initiative into thinking about how we can restructure the economy in a way that is more beneficial to the people in communities throughout Ontario and, indeed, throughout Canada.

As the member for London South mentioned, the Mondragon experiment has a lot of lessons that we can learn from. It is this kind of co-operation, even beyond our own borders, that will lead to developments, I think, that we will find very beneficial here.

Again, economic security is the goal of our industrial endeavour. The capitalist system has been shown to fail very badly throughout not only Ontario but indeed Canada and much of the world. It is a question of this restructuring that has to take place, and I think worker co-ops are an invaluable initiative in helping us to restructure.

Mr Brown: I rise to express my support for this resolution. I know the member for Sault Ste Marie has some difficult problems in his own riding and that this, at least in part, is meant to address some of the difficulties that are now being involved at Algoma Steel. I also know that the member for Cochrane North has some interest in his riding in Kapuskasing in the same sort of model.

I am fully supportive of this, and I appreciate the fact that it is building on an initiative that came out of the Premier's Council and is something that I think Ontario has lagged behind in. I really believe that Ontario has not taken full advantage of its people resources, the people who are working in the plants and factories of Ontario, and it is about time. I appreciate and applaud the member for bringing it forward at this time, because it just is time.

One of the concerns I have, and it is certainly not a problem that is created by the member for Sault Ste Marie, is that a lot of this may not be able to be accomplished in the time frame that we need in Sault Ste Marie or in Kapuskasing or indeed in other places in northern Ontario or for that matter elsewhere in the province where this model may work very well.

I, like some members, have some difficulty just in knowing exactly what the resolution means, and again, it is not the problem of the member for Sault Ste Marie. He is trying to tell us that we need some consultation on this. We need to look at the various models that are involved across not just this country but across the world where this has worked very successfully, and I know other provinces such as Saskatchewan and Manitoba and Quebec, just to name a few, have been very successful in creating the kind of

worker ownership, whether it be co-operative or, let's say the words, "worker capitalism," in such various places.

I am hoping that the government will be able to move very quickly on this, because I think there are some situations that we are particularly aware of in the north that demand quick action. Consultation does not always mean taking years. Sometimes consultation can be done fairly quickly. I am pleased that the member calls for an inter-ministerial committee, but I would appreciate if the government moved on this very quickly, because I think, as the northern members especially know and I am sure southern members, too, that we need to move on these kinds of initiatives quickly in order to address some particular situations we have in northern Ontario right now.

I, like the members of my caucus, am a little concerned. We have seen in the north some very dramatic measures in the recent budget which have caused us deep and abiding concern in terms of our competitiveness. Just to point out a thing that we in the north think is not particularly useful is a 3.4-cent gas tax hike. The member for Sault Ste Marie will know what that means to the cross-border shopping problem that we already have. It can do nothing but aggravate that, and it will cost northerners \$35 million each and every year, this 25% increase.

We are not particularly pleased about the gas guzzler tax. We are unhappy. We are unhappy that in the north in many places the Jeep, or the Ford Bronco or whatever, is not just a machine of the yuppie to show your friends on Bay Street. These are machines that you need and must have, and to increase the costs of those to northern people at a time when the economy is in recession and in some places in the north is in depression, is just, I do not think, good economic policy.

1150

We are also concerned about just the general thrust of this government in terms of all energy prices. In the north we are very concerned about an energy policy which on gasoline seems to be, let's put it up; electricity, let's put it up, let's make the part of the province which needs gasoline, which uses electricity in greater quantities, more expensive. We do not think that is particularly competitive. We are not very sure that a \$9.7-billion deficit increases our competitive ability either. We think our future generations will have great difficulty in paying the bills of this government. We think that as the amount of money available to any government of Ontario diminishes, and that is what happens when you have a budget that spends 20 cents of your children's dollars, you cannot be competitive in that situation three or four years down the road.

Those are some concerns we have in northern Ontario. We are also concerned with what happened to the additional \$200 million that was supposed to be available this year for northern development. That is what the Treasurer told us he was going to do. We do not see it. It might be helpful in this resolution, when we are talking about seed money, that some of it appeared, but we do not see that money anywhere. We do not see the four-laning of highways in northern Ontario that the Treasurer very carefully promised on many occasions. It was in the Agenda for People or power.

We are concerned in the north about those, but we are very happy with the member for Sault Ste Marie's bringing forward an innovative model which is going to canvass all the alternatives for seeing possible ways of worker participation, worker responsibility in their own lives. On this side, we see that as a very positive and important initiative that the government has to move on quickly to help solve or at least provide an alternative for the communities of Kapuskasing and Sault Ste Marie in the near term, and for communities across the province and the north in the long term.

Interjection.

The Deputy Speaker: Order, please.

Mr B. Ward: I am pleased to see that it appears to be almost unanimous support and I hope it will be unanimous support for this resolution. I am a little bit surprised at that. I am glad to see it, though, because the Liberals and the Tories appear to be finally adopting and supporting some of our basic principles of social democracy. The concept of co-ops comes from the very roots of our party, when we signed the Regina Manifesto. I think it is great, and I hope it is a trend that will continue.

I have said many times that the old ways will no longer work, that we have to have new ideas, that we have to look at new concepts. Although this is not a new concept, it is in the sense of a new idea for the 1990s, because Ontario never really wrapped itself around the idea of a workers' co-op. That is proved by the fact of this lack of numbers in Ontario, as has been said, approximately eight in this province.

But I think it is an idea that has come for the 1990s. I think it is something we can support, this government can support, since it is the very roots of our principles. I believe this concept will work because what it does for workers is it gives them true ownership of their labour, it gives them the real benefit of their labour in profit. I think that is a very good thing to look at.

However, there are some pitfalls to this concept of workers' co-op. My fear is that some workers may buy into a company that is not viable. We really have to ensure that when we encourage workers to purchase their company it is a viable operation. Otherwise their investment, their equity, will end up being evaporated in bankruptcy.

But when you look at the benefits, to a degree there is employment security for the workers. The enterprise is locally owned. There is a possibility of improved productivity. Risk exposure is reduced and workplace quality is usually improved because the workers truly care about their labour and they will ensure that it is a safe place to work at, because it is their place.

We have asked ourselves, if all these benefits are here, why do we not have more worker co-ops in Ontario? Well, perhaps a part of it is attitude, that governments never really encouraged this concept in the past. Another reason: Workers may be a little bit afraid of the economic risk there is in any enterprise.

I think that governments can overcome this attitude in this province. I believe our government can assist workers in this province by amending existing legislation, by taking a

look at the eight points in this resolution and examining them in closer detail so that we can make it easier and offer assistance wherever possible for workers to take control of their company.

Again, when we look at the resolution, some of these may not be workable, but I think they are worth while to pass unanimously in this House. I think our government should be examining them in greater detail, as is recommended in the eight points.

For those reasons, I can support this resolution. It is ironic that we are discussing this resolution today, because just last week in constituency week, I had a constituent call me about the workers in a plant he is employed with. They are interested in taking over the plant. The local owners want to get out. They are tired of the many hours involved in managing the plant, and they simply want to get out, but the plant is viable.

I think if we had some of these recommendations in place it would be easier for the workers in Brantford to take over this plant immediately. I wish them well and I think they are going to be successful.

I fully support my colleague the member for Sault Ste Marie. I think this is an excellent resolution. I think we have to be open-minded enough to explore new avenues of opportunity in this province and I think this is one avenue we can explore.

As I stated, I am glad to see that every speaker who has spoken before me has fully supported this issue, which is the basic realm of social democracy of our government and of our province. So I hope that it will be passed unanimously.

Mr Martin: I would like to say thank you to all the members who spoke, first of all for their kind words and encouragement of myself as I try to be creative and innovative and courageous in front of the challenges that face us all in Ontario today. I thank members for the excellent suggestions.

One in particular that I find rather interesting, that I certainly will follow up on, is the inclusion, through the Ministry of Education, of worker owned and managed workplace principles in the curriculum on entrepreneurship. I think that is a good idea, as were so many of the other ideas that were presented.

I would also like to say to the House that certainly, if and when we move on this or continue to move on it, because it is certainly not a new idea, there are resources available to us to assist us. I bring to members' attention

the presence of a representative of the Worker Co-operative Association of Ontario in the House today and say thank you to John Brauwer for coming this morning and taking time out of his busy schedule to support us in this important initiative.

I would just say that in this day of great challenge, we all have to be positive. It is time to bury cynicism and negativism and search for new and creative methods of co-operating so that we might regenerate our economy, and that we might in fact be able to develop a sustainable wealth for everybody who lives in Ontario and look forward to some good times, not only for ourselves but for our children and our children's children.

1200

MOTOR BOAT OPERATORS LICENSING ACT, 1990

The House divided on Mr McLean's motion, which was agreed to on the following vote:

Ayes—27

Arnott, Brown, Callahan, Caplan, Carr, Cordiano, Daigeler, Drainville, Ferguson, Jackson, Johnson, Klopp, Lessard, Martin, MacKinnon, McClelland, McLean, Mills, Morrow, O'Connor, Poole, Silipo, Tilson, Ward, B., Waters, Wessinger, Witmer.

Nays—17

Abel, Cooper, Dadamo, Duignan, Frankford, Gigantes, Hansen, Harrington, Haslam, Hayes, Hope, Jamison, White, Wilson, G., Winner, Wiseman, Wood.

The Deputy Speaker: Mr McLean has moved that this bill be referred to the standing committee on resources development.

The House divided on Mr McLean's motion, which was negated on the following vote:

Ayes 14; nays 30.

Bill ordered for committee of the whole House.

WORKER OWNERSHIP

The Deputy Speaker: Mr Martin has moved private member's resolution 14.

Motion agreed to.

The House recessed at 1212.

AFTERNOON SITTING

The House resumed at 1330.

MEMBERS' STATEMENTS

LIBRARY WORKERS' DISPUTE

Mr Daigeler: For three months the University of Toronto library workers have tried in vain to get a response from their campus MPP, the Minister of Community and Social Services, from the Ministry of Colleges and Universities and from the Minister of Labour. All they have received so far is a two-line acknowledgement from the Premier. Why is it that the NDP government will not give the striking workers the common courtesy of a reply?

Yesterday I met in my office with representatives of the union. They asked me, as Liberal critic for Colleges and Universities, to send an urgent message to the Minister of Labour. The message is a simple one: "Minister, make an effort to bring the parties back to the negotiating table." The union did not ask me or the minister to take sides in the dispute. All they ask for is an honest attempt by the ministry to bring the parties back to the bargaining table.

The University of Toronto library workers' strike has now gone on for three months at tremendous cost to the workers and to the university community. I call on the government at least to answer the union's letters, to meet with their representatives and, most important of all, to do its level best to get the parties talking again.

LAND REGISTRATION

Mr Arnott: As the members of this Legislature are aware, the Minister of Consumer and Commercial Relations announced on 7 May that her ministry would close land registry offices in Arthur and Durham and 12 other communities across the province. This announcement came with little warning and absolutely no consultation and has sparked serious concern within the municipalities which will be affected and among those who depend on the services of these facilities.

I have a constructive suggestion for the minister. The minister should immediately initiate a process of consultation with the users of these facilities and the municipal councils to accurately determine the impact of the closing of these offices on the local communities and assess how cost-effective it will prove in real terms. Pending this review, she should announce that no registry offices will close.

On Wednesday 22 May, I attended a public meeting on this issue at the land registry office in Guelph. In view of the fact that the minister was fully aware of the political implications of her 7 May announcement, one would have expected her presence at that meeting to defend her very controversial decision, or at the very least, the minister's parliamentary assistant, who also happens to be the member for Guelph, should have been delegated this responsibility. Instead, a public servant was placed in the position of having to defend this extremely controversial and contentious political decision.

We have no option but to conclude that this minister and this government have no concern or understanding of rural Ontario. Now we see that the government will not consult, that it will not listen and that the minister and her parliamentary assistant do not have the requisite courage to publicly defend their decisions. I call upon the minister to accept my suggestion and review this matter with the stakeholders before closing any registry office.

TOWNSHIP OF SANDWICH WEST

Mr Dadamo: The summer of 1991 marks a time for local celebration in communities right across Ontario. I would like to take this opportunity to inform members of this Legislature about a celebration that will take place in my riding of Windsor-Sandwich this weekend, 2 June 1991, as the township of Sandwich West becomes the town of La Salle, inaugurating its official town status.

The town of La Salle has a unique historical development. It is located south of Windsor. It was once used as the hunting grounds of the Algonquin Indians in the year 1651. In 1749, it became known as the colony of Petite Côte. The settlement of Petite Côte was slow throughout most of the 19th century, but following the war of 1812, the Canadian government began granting 10- and 15-acre plots of land to war veterans. Farming the rich black soil, French-Canadian farmers prospered and Petite Côte became famous continent-wide for its flavourful radishes.

The community built its first Catholic school in 1901, and later its first parish in the 1920s. In 1924 the town of La Salle was first incorporated, but the 1930s brought with it the Great Depression, which forced harsh consequences on all the municipalities. The impact of the depression affected La Salle's economy so adversely that it chose to amalgamate with the township of Sandwich West. La Salle became known as the town that chose to die.

I would like to congratulate town council and the residents of La Salle and look forward to being with them on Sunday. I am certain that members of this House would join me in congratulating the residents of Sandwich West in its new identity as the town of La Salle.

CROATIAN GOVERNMENT

Mr Sola: Today is a significant date in the history of democracy and democratic government, especially for democracy in Croatia. One year ago the first democratically elected government since the communist takeover after the Second World War assumed the reins of power.

The fact that democracy in Croatia has survived for even one year takes on added significance in light of the provocations and hardships the people and government had to endure. For instance, the following acts—the mining of railway tracks, armed blockades of main thoroughfares, armed terrorist attacks and murder of civilians, the massacre and mutilation of police officers and the threat to blow up the nuclear plant near Zagreb, the capital of Croatia—were committed by imported, bearded thugs under the skull-and-crossbones banner, aided and abetted by adherents to Stalin's hammer-and-sickle dogma.

This is also a significant celebration for this Legislature. Five members of the 34th Parliament of Ontario—Sam Cureatz, Walt Elliot, Frank Faubert, Steve Mahoney and myself—served on the international commission monitoring the Croatian election in April 1990. In addition, many Canadians, especially from Ontario, helped out during those elections. Some helped so much that a Canadian, Gojko Susak from Ottawa, has been appointed the Minister of Immigration and Deputy Minister of Defence for Croatia.

I invite all members of this assembly to join us in celebrating this occasion tonight in room 351 at 7 pm.

BUDGET

Mr Tilson: Yesterday the Mike Harris task force on the Ontario budget travelled to Peterborough, where I and five members of my caucus listened to the concerns of six ordinary Ontarians, concerns that we as politicians ignore all too often.

The presentations we heard yesterday reinforced my conviction that Ontarians are fed up with seeing governments taxing us to the point that our uncompetitiveness with the United States has forced jobs south. Glenda Hunter, general manager of the Peterborough Kawartha Tourism and Convention Bureau, told us that in 1982, 47% of all visitors to the Kawarthas came from the States. In 1989, that figure had dropped to 17%.

The tourism industry is in trouble. Our task force has learned that a further tax on the tourism industry by this budget will reduce this number even further. Brian Tye of London Life Insurance said his company is compiling a study of how many companies have moved south of the border, what kind of companies are moving and what their reasons are for so doing. Our task force is learning that increasing numbers of Ontarians are upset with the direction this government is taking us in and are now leaving Ontario.

I hope this government will take these concerns into consideration when evaluating its budget in committee. The Progressive Conservative Party will submit a full report of our task force experience to the all-party committee.

Mr Duignan: I rise to today to draw the attention of all members of this House to my dismay at the publication I hold here in my hand, the budget analysis of 1991 prepared by the official opposition.

This little document claims to represent a budget analysis of my government's budget and asks that those who wish to comment on the budget contact their Liberal MPP. I am disappointed that the published analysis of the budget presented by the Liberals should so badly misrepresent important initiatives that my government announced in April.

I understand what a difficult job the Liberals have in getting anybody in Ontario to listen to them on these matters, when they went into the 1990 elections saying we had a surplus, when we found as a government that we were left with a \$3-billion deficit. It must be difficult to have people listen to them on a subject when what they said and what they do are so different.

I must shake my head at this material in disgust when I see that the Liberals will not acknowledge the terrible role the Tory free trade agenda is playing in Ontario and in Ontario's economy. After all, they did not fight free trade and they left my government working so hard to find ways to overcome this problem.

I trust that those who read this pamphlet, the so-called budget analysis, will take time to read the real budget and let the Liberal members of the opposition know that they are out of touch, out to deceive and out of order.

Mr H. O'Neil: Talking about being out of touch, I want to—

Interjections.

Mr H. O'Neil: Let's not give me any trouble today. Do I still have my two minutes, Mr Speaker?

The Speaker: Keep going.

1340

OATH OF ALLEGIANCE

Mr H. O'Neil: I want to remind the government that people have not forgotten the government's decision to drop the reference to the Queen in the oath of allegiance sworn by all police officers in Ontario. My office has been swamped with letters and phone calls protesting the government's decision, and I am sure other members have had a similar experience.

People are upset because the NDP is downgrading an important Canadian symbol. They are upset because the government secretly imposed the ban, with no consultation. To top it off, the Premier disappointed the people of Ontario by refusing to send an official representative of the government to the annual Victoria Day celebrations organized by the Monarchist League of Canada here in Toronto.

Elected officials representing the six municipalities which make up Metropolitan Toronto recently voted overwhelmingly to ask the province to change the law back. If the government thinks this issue is going to die a quick death, it is wrong. I call upon the Premier. All we need is a word from him to reverse this decision. Will he reinstate the oath of allegiance to the Queen?

Hon Mr Pouliot: On a point of privilege, Mr Speaker: With respect, I think it is worth noting that in the five years that Premier Peterson was Premier of Ontario, he never once attended the ceremony the honourable member mentioned.

Interjections.

The Speaker: On an alleged point of order, the member for Quinte.

Mr H. O'Neil: On a point of order, Mr Speaker: I would like to remind that minister that whether or not the Premier was there, there was always a cabinet minister or somebody there representing the government. Also, the Premier of that day would never have removed that oath.

Hon Mr Pouliot: A point of order—

The Speaker: No, it was an alleged point of order. The member knows full well that it is not a point of order, although obviously it is a point of some interest to some members.

Hon Mr Pouliot: On a point of order under article 26(b), Mr Speaker: We had a representative there, but the honourable organization would not have him. I just want to set the record straight, sir.

The Speaker: There is nothing out of order. Interjections.

The Speaker: Members take their seats, please. We do not want to forget the purpose of this portion of the program. The member for Simcoe East is quietly and patiently waiting his turn to make his statement.

MINING RIGHTS

Mr McLean: My statement is directed to the Minister of Mines, who is very active here today.

Next month his government will implement a new tax on certain mining lands that will quadruple existing rates over five years. This new legislation affects approximately one third of Ontario's mining lands, and many land owners feel it will have the effect of confiscating property. Owners of patented mining lands, those owned outright rather than claimed or leased from the government, will be required to pay substantially higher taxes to maintain the mining rights. The minister's government is driving land owners to cede the land or the mining rights back to the province.

This mining tax will be phased in over five years and quadruple existing rates to about \$4 an acre from about \$1. If land owners do not pay, they will lose their mining rights but still keep the surface rights. If these owners do not retain their mining rights, prospectors can then stake claims on their lands. With this new tax, the government is taking away the rights of land owners and allowing outsiders to come on to their properties to cut timber, blast and take advantage of mining rights that once belonged to the land owners.

I urge the minister to rescind the tax and get out of the business of forcing land owners to surrender their rights to the government.

HAMLET OF WHITEVALE

Mr Wiseman: I rise today to congratulate the hamlet of Whitevale in north Pickering. Earlier this month, my family and I spent a wonderful day in Whitevale. The occasion was Arbour Day. On this day, my family and I planted some of the 5,000 trees that the residents of Whitevale and the citizens of Pickering planted in the area around Whitevale.

I would like to congratulate the residents of Whitevale on their continued efforts to protect and enhance their environment and protect their community. I would like to congratulate Lloyd and Marion Thomas, who have been very active in the community and have put a lot of work in the organization and planting of the trees on this day.

However, on a sadder note, I must say that a tree was planted to commemorate the passing of Bev Morgan, who was the regional councillor of that area for the past four years. She was a true champion of the environment and an untiring fighter for the rights of her constituents as an elected representative in a way that all of us in this House would be proud of. She was a true champion and friend of

the environment, a friend of the people of Pickering and a friend of mine. She will be missed.

VISITORS

The Chair: I would invite all members to welcome to our gallery today His Excellency Dr Assem Jaber, the ambassador of Lebanon, who is accompanied by his wife. Please welcome them to our chamber.

STATEMENTS BY THE MINISTRY

CAPITAL FUNDING FOR SCHOOLS

Hon Mrs Boyd: Today I would like to advise members of further details regarding the \$300 million in school capital funding that the government has committed for the 1994-95 fiscal year. This commitment was made by the Treasurer in his recent budget. The \$300 million will be divided into three parts, each directed to a particular purpose.

First, a \$50-million fund will be established to encourage school boards to plan towards and assist them to build community-based, multipurpose schools. This initiative was mentioned in the budget. I am pleased that we are able to provide the money to promote a new direction in the capital funding program for education.

My ministry will consult widely with interested parties and communities about this new direction. After this consultation is completed, I expect to make further announcements about the allocation of the fund. The target date is early September.

It should be noted that there are already examples of successful and innovative multi-use schools in Ontario. Many of these examples involve the partnership of the local public and separate school boards. Others have involved different community agencies, such as library boards, municipalities and community colleges.

As part of this new direction, my ministry will be looking at these schools and studying how each works for the benefit of its community. We will share our findings with all interested partners in education, provincial government ministries and other interested groups.

The second part of the total capital funding package is \$214 million in capital grants. These funds will be provided to school boards across Ontario for specific projects identified by the boards on their annual capital expenditure forecasts. Details will be announced tomorrow.

I ask members to note that these announcements will focus on the estimated provincial grant—that is, on the number of dollars that the province anticipates contributing to each project—rather than on allocations, which represent the estimated cost of a project. In this way, it will be clear what portion of each project's cost is being paid by the local ratepayers and what portion is being paid by the province.

The third and final part of the package is \$36 million set aside for emergencies and to meet the legitimate needs of boards that are currently seeking to negotiate solutions to their accommodation problems. Many boards are currently working to meet their accommodation needs at the local levels. Boards that follow the path of local co-operation

will receive full consideration for capital funding from the province.

While the \$300 million in capital funding for fiscal 1994-95 is being divided into three parts, all of this funding represents an investment in Ontario. Members of the Legislature should be aware that the total net grants requested by boards across the province equalled \$2.1 billion. In this time of recession, the government cannot meet all those needs. The decisions made reflect very serious consideration on the part of local trustees and the regional offices of the ministry as to the most urgent needs.

Many communities will be disappointed that their requests were not met and we hope they will recognize the restraint under which the government is forced to operate.

1350

SOCIAL SERVICES

Hon Ms Akande: As members know, this is National Access Awareness Week, a fitting time to affirm this ministry's commitment to providing access to services for persons with disabilities.

I am pleased to be able to announce today that the Ministry of Community and Social Services has agreed to assist the Canadian Hearing Society with its apprenticeship training program for interpreters through a grant in 1991-92 of approximately \$200,000.

Interpreters are specially trained and uniquely skilled people who enable the deaf, the hard-of-hearing and hearing people to communicate face to face, as this House has reason to know. My colleague the member for York East makes use of their services every day and I am sure he would agree they are invaluable to him.

The apprenticeship training program has been at risk for lack of money, so I am particularly pleased that this ministry funding allows the program to carry on its valuable work. It increases the numbers and enhances the expertise of signing interpreters and therefore may improve the access of hard-of-hearing people to the job market.

Turning to another kind of access, earlier this month this ministry announced funding of almost \$9 million in new funds to expand and enhance access to community-based shelter services for women who are victims of family violence.

These funds will improve access for northern, aboriginal, immigrant and racial minority women as well as women with disabilities. Renovations to buildings and other necessary non-structural modifications will be made.

By March 1992 a total of 94 shelters will be accessible across the province, providing places of safety, counselling and support for women who are assaulted.

On 2 May I made an announcement in the Legislature concerning the process of social assistance reform and how this government is putting it back on track. These reforms included instances of this ministry's concern for welfare recipients who have disabilities.

For example, special necessities such as wheelchairs and respiratory supplies will be provided to all benefit recipients who need them. Parents may now bequeath moderate sums of money to disabled children without causing them to lose eligibility for social assistance. Personal

needs allowances for those who live in institutions are being increased and also benefits for boarders, many of whom are disabled.

Further, a number of our vocational rehabilitation officers who work out of ministry area and district offices mark National Access Awareness Week by setting up major displays in community malls. Again this year they are taking to the public our message that vocational training opportunities are available for disabled persons. They also encourage industry and business to consider such persons as the best possible candidates for certain jobs, taking into account that their mobility may be limited.

In all these different ways, the Ministry of Community and Social Services recognizes and shares the vision and intent of National Access Awareness Week and continues to translate that intent into action year round.

NET INCOME STABILIZATION ACCOUNT PROGRAM

Hon Mr Buchanan: I rise to inform the members of the House of another initiative this government has undertaken to assist the farmers of Ontario.

As the members will know, my ministry has been negotiating with the federal government on possible participation in the net income stabilization account, or NISA. The objective of this federal-provincial program is to encourage growers to set aside savings in good years to give them a financial cushion in bad years.

I am pleased to announce today that the province is committed to full participation in the NISA program starting in the 1991 tax year. The program is open to grain and oilseed producers and producers of edible horticultural products. We estimate that more than 10,000 producers will benefit from this program.

Ontario producers can sign up for the NISA program for the 1990 tax year and they will receive provincial contributions next year. Application forms will be issued shortly by the federal government and we expect that federal funds will start flowing to Ontario farmers this summer because of our decision.

The province's financial contribution will be phased in starting in the program's second year, an approach similar to what is being done in Nova Scotia, Prince Edward Island and Manitoba.

Ontario's phase-in to the NISA program is in addition to our commitment to the gross revenue insurance plan and the \$50-million 1991 farm interest assistance program.

With today's announcement, we will ensure that participating Ontario farmers receive NISA assistance from the federal government in the short term and federal and provincial assistance in the long term.

Under NISA, individual producers can put up to 2% of their net sales of eligible agricultural commodities into an account. The contribution will be matched by a combination of federal and provincial government funds.

Producers will have access to the NISA accounts when the farm's gross margin falls below the five-year gross margin average or when the individual farmer's net income falls below \$10,000.

I am pleased to say that we were very successful in bringing horticultural producers into this program. It was largely through Ontario's negotiating efforts that horticultural producers were brought into this program.

I would also say that Ontario has been negotiating with the federal government to incorporate environmental cross-compliance requirements and income caps into the NISA program. These negotiations are ongoing and I will be discussing the direction and long-term goal of these negotiations with the Ontario farm community. The continued involvement of Ontario farmers in the evolution of these initiatives is critical to their success.

We are pleased to offer this program to the farmers of Ontario. This government firmly believes that in providing individual producers with income stability we are also strengthening our rural communities.

APPOINTMENTS TO POLICE SERVICES BOARDS

Hon Mr Farnan: I am pleased to announce that I have established a seven-member Appointments Advisory Committee to make recommendations to me for the selection and appointment of volunteers from our communities to local police services boards.

The new committee is made up of representatives from the police leadership, as well as from the community, and reflects this government's continuing commitment to community policing.

I would like to inform members of the House about the individuals who have been named to the new Appointments Advisory Committee.

From the police leadership, members include Gord Noels, chairman of the board of the Police Association of Ontario; Sandi Humphrey, executive director for the Municipal Police Authorities; and Merv Johnson, deputy chief for the London city police and third vice-president of the Ontario Association of Chiefs of Police.

From the community, committee members include Kathryn Barnard, an Ottawa lawyer who specializes in immigration law; Bettye Clark, executive director of the Family Crisis Shelter of Cambridge; Lois Miller, a teacher at Manitoulin Secondary School; and Jang Singh, associate professor, faculty of business at the University of Windsor.

These members are present in the gallery today and I would ask that they stand and be recognized by members of the House.

This new committee has the expertise and ability to carry out its duties with sensitivity and fairness. It will ensure that interested men and women from our communities have the opportunity to take an active role in the development of local policing policies. Names of qualified candidates will be presented by the committee to assist me in appointing those candidates who best demonstrate a commitment to ensuring the safety and the security of our communities.

As members will recall, section 27 of the Police Services Act requires all municipalities that maintain police forces to establish police services boards. Currently, 80 municipalities have police services boards in place and 58 more need to establish such boards before the end of this year.

The mandate of this new committee has been established in keeping with this government's commitment to ensuring greater fairness in appointments to government agencies, boards and commissions. My ministry has already advertised in 53 communities around this province to encourage applications from men and women to serve as volunteer members of their local police services boards. It is my hope that the men and women who are recommended to me by the committee will represent the varied experiences, the abundance of talent and the racial and cultural diversity that makes up Ontario. I am fully confident that this committee will perform its duties well.

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RESPONSES

APPOINTMENTS TO POLICE SERVICES BOARDS

Mr Curling: I want to applaud the message that came from the Solicitor General. It has been long awaited and it is certainly welcome. I am sure that all the individuals who are appointed are qualified and committed individuals who want to serve their community and see that we have a good police service in this province.

I would like to say too, though, while I commend the message, I question the messenger. I think the messenger is under question, and as you can see from my party here, we have always asked, and with a cloud that hangs over the situation now we ask again, that the Solicitor General himself and all the matters involved be referred to the standing committee on administration of justice. I know that the Solicitor General, when he goes to the justice committee, will be of course cleared, but the process is important. The credibility, as I said, is in question.

I would like too if some time the Solicitor General could clarify the employment equity provision that is in the Police Services Act. There are many people who are questioning that provision to see how it applies.

While I have a great respect for the Solicitor General personally, I think the office itself is under question. I would like to see this matter that has been under this cloud a long time cleared so that we have no doubt that justice can be served to all in our province.

CAPITAL FUNDING FOR SCHOOLS

Mrs Y. O'Neill: I would like to respond to the announcement from the Minister of Education today. I am very happy that we have the announcement, as promised, before the end of this week, and indeed this is an announcement that is an investment in the most valuable resource we have in this province, which is our children.

I do find that the good news, however, has a couple of surprising caveats. The \$50 million to plan and build community-based multi-use schools, with a consultation process built in, is rather confusing, since, as the minister mentioned, we have many such examples in the province that already exist. We have had, from both the Children First report and the select committee on education report, extensive recommendations and studies in this area. Boards have responded and indeed there are many projects that I think will qualify that await approval. Therefore, I am not sure that further consultation is necessary and I

really do hope that delay will not be the result of this consultation and that these projects that I think we can all support and we know are the best use of our resources will proceed very quickly.

The \$36 million at the end of the announcement is even more confusing to me, because where it talked about emergencies, where it talked about the legitimate needs of board who are currently seeking to negotiate solutions, I would suggest that every board that is spending time in this province trying to seek a negotiated settlement and has been doing so over a period of four or five years considers its needs legitimate or it would not be spending the time.

It is certainly rather frightening to me to have put before us that, "Boards that follow the path of local co-operation will receive full consideration." If I look at Essex, which many, many boards in this province have been watching with anguish, I am not sure what the minister means when she talks about full co-operation, because there was much there before interference.

I really am concerned that there are judgement calls here and that the boards do not know what these judgement calls involve. I hope this announcement of \$36 million, which indeed is rather a small sum for the outstanding projects that are still to be judged, will not engender further fears.

NET INCOME STABILIZATION ACCOUNT PROGRAM

Mr Elston: It is always more easily within our range to grasp the statements of the Minister of Agriculture and Food. They come in the smallest envelopes and they are going to take the longest time to take effect.

It is not for this year, we are talking about next year. If they had decided to go into the NISA program this year, they would have got 30% more funding. However, the minister chose not to fund them this year. However, it is a small victory for the people who are in the Ontario Federation of Agriculture and for our critic, the member for Cornwall, who, when he asked the Treasurer why they were not going into it, was told by the Treasurer that they were doing enough already for farmers.

That is not the case, and it is not the case for the Minister of Agriculture and Food today to announce that so little funding is available for the current year. We are happy, by the way, that it is taking place, but you will always find the smallest envelopes from the Minister of Agriculture and Food.

CAPITAL FUNDING FOR SCHOOLS

Mr Jackson: I would like to respond to the Minister of Education's four years premature announcement on capital for schools in the fiscal year 1994-95. I underscore that, because I think it is worthy of note that that is when we are talking about the expenditure of these funds.

In fact, the minister will be aware that she has cancelled the select committee on education from further activities in this province. It has made substantive recommendations to her ministry about resolving matters with respect to capital grants. In fact, there has been a call

for a wholesale review of capital grants, and what we have today is, as I say, an announcement several years away.

We have on page 2 of her brief statement a reference to her changing the formula. We know that under the Conservatives we were getting 75% provincial grants, 25% local contribution. It was dropped to 60% by the Liberals. The NDP said, "For sure we'll change that back when we form a government." Now we see them reducing even from the 60% figure. What they say is that you are going to be able to tell exactly what you are going to get from the province. What you are really going to be told is how much more the municipality is going to have to put up through property taxes in order to build anything in this province for a school board.

Third, the \$36 million set aside for emergencies to deal with boards seeking to negotiate accommodation problems: I remind this government that it created the problem. These are the moneys that were dedicated by the former government to resolve these problems. The minister, with her heavy hand, came in and put a no order on several negotiated settlements in boards, and she is rehashing old dollars to indicate that she might be able to resolve problems with it. There is a lot lacking in this.

Finally, it is quite clear that her universal plan for day care will have some opportunities when community use of schools is expanded to include full day care services in all public schools in this province.

SOCIAL SERVICES

Mr Jackson: Briefly, I would like to comment on the Minister of Community and Social Services for the third and in part fourth time she has made the announcements about National Access Awareness Week.

She does do credit to the member for York East for his contribution, but, as all members of the House know, he was the only member of the disabled community who was elected to this House in the last election and there are a great number who were not who would like to be assured that this government is listening to their legitimate needs also, needs such as those children in the Niagara Peninsula who presented their case to her with the Down syndrome association. Those children have been denied access to speech pathology. They have no way of learning one language. Her government spends millions of dollars for third-language instruction in this province, and yet disabled children are denied an opportunity to communicate in one language in this province. We have a responsibility to those children, and National Access Awareness Week is a time when her government should stand up and make a substantive announcement.

1410

NET INCOME STABILIZATION ACCOUNT PROGRAM

Mr McLean: We welcome the minister's announcement committing the province to participate in NISA. We have strongly supported both the GRIP and NISA programs, which were designed by farmers and government working together, and we look forward to this same co-operation in the future.

However, the minister's statement only talks about the provincial contributions starting in 1992. This means that in 1991 producers will not receive maximum benefits. If

Ontario had agreed to make a 1% contribution in 1991, our producers would have received between \$60 million and \$75 million from the federal government. Because the province will not participate this year, federal funds will be \$10 million less.

In summary, while we are pleased to see Ontario in NISA, we condemn its reluctance to take full advantage of the federal assistance for this year. Farmers need this help and they are not going to get it. The minister has cost the farmers of this province \$10 million this year.

APPOINTMENTS TO POLICE SERVICES BOARDS

Mr Carr: I would like to add my congratulations on the new committee and to the fine men and women who are here this afternoon and who will be working to ensure that there is greater fairness in appointments on our boards and agencies.

The big concern I have is that this will turn into a situation like we have with the other Premier's commission which looks at government agencies and boards, which has just become nothing but a rubber stamp. I hope that that will not happen with this group, because we cannot afford to let these men and women be used as pawns to rubber-stamp.

ORAL QUESTIONS

MINISTERIAL RESPONSIBILITY

Mr Elston: A question to the Solicitor General: On 24 April the Solicitor General clearly stated in the Legislature that he had provided direction to his staff: "Both in writing and verbally I have said there must be an arm's length from the Solicitor General to the judiciary. Yes, yes, yes." I think that represents a pretty definitive statement.

Yet while speaking to the RCMP in an interview regarding his intervention in the justice system, he stated he had informally spoken to some of his staff to inform them that they ought not to contact any police agency or judiciary. Moreover, his staff had denied receiving any written guidelines or directions, and that is clear.

Will the Solicitor General kindly tell us today which of the statements is correct?

Hon Mr Farnan: My attitude towards this issue has been very consistent from the very beginning. From the very beginning, I have made it absolutely, abundantly clear that I wanted every piece of information surrounding this issue to be available. I have made it available, there has been an investigation and that investigation exonerated both myself and my staff.

It was entirely consistent from the very beginning that the verbal instructions, the oral instructions, that I gave to my staff since I became minister on 1 October and the communication of 4 March reinforced that arm's-length distance between my ministry and the judiciary.

Mr Elston: We know that the Solicitor General has two different versions of what happened depending on where he is at. Yesterday at 5 o'clock, in a vain attempt to clear his conscience, he released some correspondence to the media. The memo from the Premier's office outlined the way the minister's offices are to deal with the judiciary.

Why it took over six months for this to be sent out no one will really know, but that is another question.

Then late last night, our leader's office received another letter. This letter, dated 24 April, two days after the news of the SG's interventions in the justice system broke, clearly outlines staff responsibilities regarding contact with the judiciary. If the Solicitor General felt that he had clearly stated to his staff previously the necessary directions when he stood in the House on 24 April, why did he consider it necessary to send this memo again?

Hon Mr Farnan: I would have thought it was very obvious to the member. I have accepted the fact that a seriously inappropriate error of judgement was made. I have accepted that fact unquestionably. Therefore, what we did was we examined those procedures and reinforced those procedures to ensure that this could never happen again.

Mr Elston: We know that we have now been able to extract two pieces of information from the Solicitor General that to this point he has been unwilling to make public. We now have that, but we still do not know the nature and dates of other correspondence sent by his office; we still do not know exactly what happened with respect to the activities in his office: when correspondence was received, when people have met with him or his staff, and exactly the nature of all the details that generated these material problems in the judicial system.

I have to say that it seems to me the only way to clear the air, if the person has nothing to hide, is to send this off to the standing committee on administration of justice and to allow the members of the Legislative Assembly to—

Interjections.

The Speaker: Order, the member for Yorkview. Due to the volume that is emanating from this side of the chamber, including the member for Yorkview, I was unable to hear the question. Could the member place the question again?

Mr Elston: I think they know what the question is. If this man has nothing to hide, why will he not let a standing committee of this Legislature look into every detail of this incident? Will he agree to have this matter sent to the justice committee for a complete investigation?

Hon Mr Farnan: All members of the House will recall my statement in the House, and it was this: I want everything to be open and aboveboard. I invited, before it was even necessary, the RCMP, any investigative team, to come into my office. They did precisely that. The Royal Canadian Mounted Police, two officers, went through every file and every piece of literature within my office and what they came up with is contained in the report. Any piece of literature, anything at all that is within my power to give to members of the opposition, I will do so.

Mr Elston: It is quite clear to see that this government has taken the Mounties for a ride, and a musical ride at that. I believe that minister should tell us whether he has seen the report. Let me ask him a separate question.

On the second case of the Solicitor General's political interference in the policing system—

Hon Mr Farnan: Mr Speaker, on a point of personal privilege: The member has suggested that I may have seen the report. He impugns the integrity of the Attorney General of this province, and that is a shame.

Interjections.

The Speaker: Order. I have listened very carefully to both the questions and the comments, the statements that have been made. No doubt there are questions posed and there are suggestions. The member does not have a point of privilege, but it is certainly something about which he is most concerned. I certainly caution all members to try to temper the comments that they make.

Mr Elston: It is pretty obvious these guys have been directed to do this to make delays. More than a minute and a half has been taken up on this.

I would like to turn my attention to a second—

Interjections.

The Speaker: Order. Place the question, please. New question, please.

1420

LABOUR DISPUTE

Mr Elston: I would like to turn my attention to the second case of political interference by the Solicitor General's office, this time with respect to policing in the province. It was established yesterday that the Solicitor General's personal staff received a call from a CAW union representative, and it was also established that the staff asked the Solicitor General bureaucrats to call local police to, in his words, "assist the union in communicating with the police." He states this even though the police have noted they already had excellent lines of communication with the union.

What the Solicitor General did not do was tell the union chief that he should not be calling the office of the Solicitor General, but calling the regional force directly. He has once again failed to show good judgement the necessary judgement, to carry out the duties of his position. Why did the Solicitor General feel that it was his responsibility to act upon the requests of the union chief, and why did he feel that the Waterloo regional force could not handle the situation without his direct intervention?

Hon Mr Wildman: On a point of order, Mr Speaker: This is no strategy. I remind you that you ruled recently in regard to a point of order I raised with regard to comments made by a member opposite about an allegation of political interference. That has just been made again in this House. You said in your ruling, Mr Speaker, that this issue must be raised immediately in the House and brought to your attention, and that is what I am doing. I am asking you to rule again, please.

Interjections.

The Speaker: Order. I would ask members to come to order. To the member for Bruce, the member who I know has a great respect for the decorum of this House—

Mr Elston: Mr Speaker, before you go any further, I will withdraw the allegation of political interference.

The Speaker: That is fine. Would you stop the clock for a moment?

Interjections.

The Speaker: Yes, it is the end of the week. Before we proceed further, there are a couple of things that would be of help. First of all, I draw to members' attention that points of order are to be considered at the time when they arise and they are part of our 60 minutes. I have always requested members, if it is at all possible, to raise matters pertaining to order outside of the question period.

The Minister of Natural Resources was quite right in rising in his place to bring to my attention something which had occurred immediately and needed attention, and the member for Bruce withdrew the remark, so I think we are ready to proceed. However, since all of us are aware of the constraints of time, and all of us want as many members as possible to participate, it would be very helpful if people could restrain their enthusiasm. Now we are ready to start the clock and for a new question from the member for Bruce.

Mr Elston: I finished my question.

The Speaker: That is right. The Solicitor General.

Hon Mr Farnan: I would like members of the House to listen very carefully to this response. It is a letter that I have received, a letter written to the Leader of the Opposition from the individual who has been quoted at length by the questioner today. I was copied this letter today.

This is what it says in part: "I can honestly say that to the best of my knowledge there was no pressure from Queen's Park on the regional police." This is Mr Coleman, whom the member is quoting. "It was clear that they"—the police—"had made the decision to adopt the similar policy taken by the Hamilton-Wentworth Regional Police during the Stelco strike."

Let me further add, contrary to all of the statements that have been made in this House, Mr Coleman said, "I did not make the call to Queen's Park." Let me also suggest that the result of the dialogue and the interaction that took place was this, "The company were able to move their product and we had our strike issue addressed without any further violence."

Mr Coleman says he has never personally made a contribution to my campaign, as was suggested yesterday by the former Attorney General, and what he finally says is this: "As a matter of fact, I am not even a card-carrying member of the NDP party. However, I may certainly reconsider after this fiasco."

Interjections.

The Speaker: Government members come to order, please.

Mr Elston: This is laughable, Mr Speaker.

The Speaker: Stop the clock.

Interjections.

The Speaker: I draw to the government members' attention that the enthusiasm, well demonstrated, is indeed utilizing a great deal of the clock, and all members, including backbench members of the government, are anxiously waiting to place questions. I would very much appreciate their co-operation.

Start the clock, please.

Mr Elston: That sort of gets me to this particular part, which was going to be in my final supplementary. Finally, there are numerous individuals who say they were told that his office, that is, the Solicitor General's office, was, in their words, interfering in the matter. Yet the Solicitor General says that he says the statements of these individuals do not amount to anything. How can he explain the fact that these individuals have told us that they are willing to sign an affidavit to the nature of their conversations with the police and also that they are willing to come before a legislative committee to tell us exactly what took place?

If this Solicitor General has nothing to hide and does not wish to hide behind the barracking and laughter and clapping of his colleagues, let him come to the justice committee and allow us to investigate this series of very serious allegations.

Hon Mr Farnan: Those who were present in the House yesterday will know that a great number of the allegations were based on presumably what Mr Coleman had said or was saying. Mr Coleman has written to the Leader of the Opposition and he has clearly stated that nothing that was said by the Leader of the Opposition or by the member today is true. Is he saying that Mr Coleman is substantiating this? Not at all.

The Speaker: New question—

Mr Elston: Final supplementary.

The Speaker: I heard you say "final supplementary."

Mr Elston: I said in light of what had been answered I went to my final supplementary. We have checked in our office with respect to that letter. The Solicitor General gets it from his buddy but it does not come to us, so that he can embarrass us, he thinks, in this House.

I want him to answer the question: What has he got to be afraid of by coming in front of a legislative committee in this House, in front of his colleagues, his peers, to go through the material about which the allegations have been made? Will he come clean with us and just appear in front of the legislative committee?

Hon Mr Farnan: The member has chosen an unfortunate range of vocabulary today, "Will the member come clean?" From the very beginning, I have said every piece of evidence is open for scrutiny by the Royal Canadian Mounted Police. I am entirely consistent. Any document that is within my power to make available, I make freely available. I cannot be more open than that.

MINISTERIAL RESPONSIBILITY

Mr Carr: My question is for the Solicitor General. For the past month, the Solicitor General's defence has been based solely on his repeated claim that he specifically informed his staff that they should not communicate with judges. Yet the only piece of concrete evidence—and he talks about evidence—that he can produce is a generic memo to all staff from the Premier's principal secretary.

Is it therefore accurate to conclude that at no time during the past five and a half months prior to 24 April did the Solicitor General personally write a memo to all his staff advising them to never communicate with a judge or a justice of the peace?

1430

Hon Mr Farnan: Let me reiterate once again for the member that both in writing, in print form, and orally, the communication of 4 March in the context of my repeated explanation about arm's-length distance from the judiciary is very clear. It is a single message that there cannot be contact between my office and members of the judiciary or policing services.

When did we hear a question to the Minister of Agriculture and Food, or to the ministers of Industry, Trade and Technology, Mines or Transportation? The people of Ontario expect the business of this government to proceed, and we cannot afford to continue to waste time on this kind of nonsense.

Mr Carr: The problem is that the Solicitor General is the only guy who keeps getting in trouble and going from scandal to scandal. That is why the questions come to him. The other guys are not involved in the scandals as he is. He is the only one involved in the scandals. The RCMP clearly says in its report that at least one member of his staff did not receive the guidelines.

Interjections.

The Speaker: Order.

Mr Carr: My question is very simple: Is that staff person not telling the truth, or did the Solicitor General fail to specify very clearly instructions to her that she was never to contact a justice of the peace or a judge in the province of Ontario?

Hon Mr Farnan: It would be a sad world indeed if every time someone shouted scandal, people were tried and convicted without evidence. The Royal Canadian Mounted Police has investigated very thoroughly and has clearly exonerated.

I have consistently said to this House that since 1 October, I have put out communication in terms of arm's length. I have acted as a model for my staff. I accept that there was a serious mistake made. We have put in place those kinds of changes to ensure that this cannot happen again. The people of the province demand that we get on with the business of this province.

Mr Carr: What the people of this province are demanding is that we get the answers we are asking for. We are going to continue to ask those questions until we get them.

We are not dealing with any other cabinet minister; we are dealing with the Solicitor General, the chief law enforcement officer in this province. He, above all other members, should be above reproach in his conduct. It is clear that he has no defence and no credibility. Surely responsibility for the actions of his staff lies with the Solicitor General. Will he do the responsible thing and resign?

Hon Mr Farnan: I feel obliged to refer the member to the summary of the Royal Canadian Mounted Police, as it evaluated my general performance as Solicitor General. I ask him to review the report. I think it is quite praiseworthy. I have a job to do. I intend to do it and I do not intend to be sidetracked by allegations, accusations or anything else.

Mr Jackson: On a point of order, Mr Speaker: During the exchange, the member for Downsview referred to a cop hater in this House. I would ask the member for Downsview to withdraw that comment, please.

Interjections.

The Speaker: Stop the clock for a minute. I am more than pleased to deal with points of order, etc. I do ask, first of all, that the members listen, including the member for Mississauga North. Come to order.

Mr Offer: The member should be ashamed of himself.

The Speaker: The member for Mississauga North, come to order. I did not hear the remark. The member alone knows whether or not he made the remark. If indeed it was made, it is not appropriate language, and should properly be withdrawn. I leave it to the member for Downsview.

Mr Perruzza: Mr Speaker, the member is right. What I meant to say is that he has been questioning the integrity of the Royal Canadian Mounted Police and I think that is an inappropriate thing for any member of this House.

The Speaker: Do you withdraw the remark?

Mr Perruzza: That is what I meant to say and I withdraw the other remark.

Interjections.

The Speaker: We are at the stage of a new question and perhaps we can continue uninterrupted, if at all possible. The member for Willowdale with the second leadoff question.

Mr Harnick: My question is for the Solicitor General. He told us originally that he—

Mr Mills: On a point of order, Mr Speaker: I believe my ears are correct and I heard the honourable member for Markham say something to the effect that there is honour among thieves. I do not consider the government to be thieves and I take exception to that.

Mr Cousens: The taxpayers think they are thieves, Mr Speaker, and I think there is something wrong with the Treasury of this province. That is why I called them thieves. If that is not parliamentary, I withdraw it.

The Speaker: We have managed to raise the temperature in here to exceed that which is outdoors, and without the benefit of air-conditioning, perhaps if we all just relax a little, it will not be so hot in here. Would the member for Willowdale place his question.

Mr Harnick: My question is for the Solicitor General. He received the Premier's guidelines on conflict of interest in December. He told this House earlier that he conveyed the contents of those guidelines to his staff some time in February. He has now produced a letter the top of which indicates it was faxed to his constituency office on 4 April, I believe.

What I would like to know is, when did he receive the guidelines and would he give us a date, and when did he convey them to his constituency personnel? Can he please just give us those basic facts without a speech and without his hand on his heart?

Hon Mr Farnan: The guidelines the member refers to were received in my office on 4 March. In order to prepare myself for this House at a certain stage when this matter was being questioned, one of my staff phoned the office to confirm that they were in the office and indeed they forwarded by fax a copy of the guidelines. That is whatever date is on the top of that, the fax date they were sent back in which it was reaffirmed that they were there.

Nothing has changed. The guidelines were received on the 4th. They reaffirmed what I had said verbally and committed to my staff on an ongoing basis.

Mr Harnick: The Solicitor General never ceases to continue to confuse me, and that may be easy, so I hope he will be very elementary with me and lay out what these dates are.

At the top of that letter it indicates, "April 4, Constituency Office." I assume that some time between 4 March and 4 April he had discussions with the members of his constituency office about these guidelines. He told us in some circumstances they were written and in some circumstances they were oral.

Why did it take the Solicitor General from 21 December, I believe, or earlier in December, when he received the guidelines, until 4 March or 4 April to convey the contents of that information to his staff?

1440

Hon Mr Farnan: I believe these guidelines the member refers to were developed in late February and received in my office on 4 March. Again, they reaffirm the verbal directions I had given my staff. The message then was arm's-length distance from the judiciary. The message remains the same. We have taken additional precautions to ensure that this cannot happen again. We want to get on with the business of serving the community of Cambridge.

Mr Harnick: I happen to know, and I will produce and deliver to this Legislature this afternoon a copy of those guidelines, that they are dated December 1990, not February 1991. If the Solicitor General is standing in this Legislature saying he did nothing with these guidelines between December and February, which is obviously the case, because he never saw them or never deemed it necessary to open them until February, then he should resign because it puts into question every single answer he has given to this Legislature. He received those guidelines in December. If he alleges he did not receive them until February, it means everything he has told us is questionable. His credibility is shot.

He indicated that a serious mistake was made and he admitted that today. Whose fault was that mistake?

Hon Mr Farnan: There are several questions there. I want to say, even before the guidelines came out, on 1 October—I gave this information before, but on my very first visit to my ministry I sat down with the then Deputy Solicitor General, Stindar Lal. We had a conversation, and the most important aspect he emphasized was that we must clearly have an arm's-length relationship with the judiciary.

From that moment on, with my staff here in Toronto and with my staff in Cambridge I was preaching the mes-

sage of arm's-length distance, before the guidelines came down. With the guidelines coming down, I continued verbally to reinforce and indeed a communication of 4 March reaffirms those verbal communications. The reality of the matter is that communications were made and a mistake has been made. In place now are those processes that ensure it cannot take place again. It is time to get on with the business.

TAXATION

Mr Kwinter: I have a question for the Treasurer.

[Applause]

The Speaker: You are making someone happy.

Mr Kwinter: I do not know whether the applause is for me or for him, but I welcome it no matter what it is.

The Treasurer will know that shortly after he tabled his budget, I questioned him about the efficacy of the gas guzzler tax. As a result of those questions, there has been some speculation in the media and there have been some discussions about the impact it is going to have.

Yesterday, in Kitchener-Waterloo and in Brantford, when Liberal members were listening to people commenting on the NDP budget, they heard from Shelly Schlueter of the executive committee of the Ontario Automobile Dealers Association. This group represents over 1,000 businesses in Ontario. To say the least, they are extremely upset about the proposed extension of the gas guzzler tax to midsize family cars and four-by-fours.

Both the Minister of Industry, Trade and Technology and the Treasurer, in their defence, claim that a relatively small number of those cars was produced in Ontario. What they did not seem to grasp is, notwithstanding that those cars are not produced here, they are sold here, and there is not an automobile dealer who can survive unless they can sell the whole range of products available to them.

To quote Ms Shlueter, "It is a negative and perverse notion that actually discourages consumers from purchasing new fuel-efficient vehicles" and to retain their older, less efficient, higher-polluting vehicles.

How does the Treasurer react to this criticism, and has he made any effort to meet with these people who are represented by that organization?

Hon Mr Laughren: I think the member is aware that I met two weeks ago today with representatives of the Motor Vehicle Manufacturers' Association, the industry itself and the Canadian Auto Workers to deal with the whole question of the gas guzzler tax.

At that point, the Treasury, the motor vehicle manufacturers and the union representatives agreed to establish a working group of the three organizations to look at the whole question of the gas guzzler tax. From the beginning my concern has been the whole question of the impact on jobs in Ontario. I was concerned about that both before the budget, when we were contemplating the change, and afterward when there was a reaction to the gas guzzler tax.

I do not want to prejudge the results of the working group, which will report back to me very shortly, within a week I believe. But at this point there does not seem to be any contradiction of the statements I made earlier that

there would be any impact on jobs in the province of Ontario. But having said that, I do recognize the problem of existing stock on the dealership lots, if that is what the member is referring to.

Mr Kwinter: What the Treasurer has just said really highlights the concern I have. The assumption of the Treasurer and the Minister of Industry, Trade and Technology is that this is only impacting on the manufacturing side. It is impacting on the manufacturing side without question, because the Lumina and the other cars such as the Buick Regal are going to be impacted. But it is going to impact even more severely, because it hits every community in Ontario that has a car dealership, on the people who are selling the cars. They are stakeholders and they have been shut out. They have not been included in the discussions and, according to Ms Shlueter, despite repeated attempts by the association to join the working group examining the tax, the Treasurer has continually shut them out. In his words, he does not want too large a table. They have also been told that in order for them to join the group, they must have the permission of Bob White to sit on the committee, which has not been forthcoming.

The Treasurer has had a meeting and is going to have another meeting. He is going to make a decision, I understand, by 10 June. Could the Treasurer give assurance to these people that they will have a chance to present their particular point of view on the deleterious effect that this legislation or change to the budget is going to have on their incomes, on their livelihood and on the economy of Ontario?

Hon Mr Laughren: I regret that the member cluttered up what is basically a very good question with the rather silly comment that the dealers could not meet with me or anybody else until Mr White had given approval, which is a silly accusation. I regret that he felt he needed to insert that into what was otherwise a very legitimate question.

I would remind the member opposite that this is an issue about which I am concerned. I am taking it very seriously. We wanted to put together a working group to deal with it very quickly so we could make a decision very quickly, I think for obvious reasons, the implementation date of the tax being 1 July.

I would also remind the member opposite that there has been a very real expression of confidence in the Ontario market both by Chrysler, with its announcement of an expansion of the shift in Windsor and I guess also in Bramalea, and also by the major expansion of Ford at Oakville. So I do not share the member's pessimism about the car market in this province. I think it is very healthy, and we look forward to an expansion of the market, as a matter of fact.

1450

SOCIAL ASSISTANCE

Mr Jackson: I have a question for the Minister of Community and Social Services. On or about 15 May, municipalities all across Ontario received a rather extensive document which was her ministry's guidelines for implementing changes to social assistance and the implementation of back-on-track action items. In fact,

there are 88 of them to be implemented by August of this year.

The minister would be aware that virtually every member of this House has received some sort of correspondence from constituents expressing concern about the nature of these changes; not that they increase the levels of support for the needy in this province, but rather that her actions open up and allow a system with much less monitoring and accountability of hard-earned taxpayers' dollars.

I have raised this question with the minister once before and she indicated there was minimal fraud. I wish to advise the minister that six years ago the Quebec government implemented some of these changes, including the elimination of a home visit. They found such widespread abuse of welfare in Quebec that they had to hire special welfare police.

At a time when this province is borrowing more money than at any other time in Canadian history for a province, how can the minister move in this direction of non-accountability, when taxpayers are requesting that we have sufficient dollars to take care of the poor and that we minimize fraud and not encourage it in this province?

Hon Ms Akande: I believe that our move in this particular case to make it possible for municipalities not to visit the homes is in fact a move towards having greater monitoring ability. We have replaced that with a demand not only that people be registered for social assistance, but that there be a counselling and service arrangement set up with the social assistance recipients which would allow even more frequent interaction with them.

That frequent interaction is in order to ensure that people will move from social assistance into opportunity planning or into back-to-work initiatives and retraining. We have recognized that this type of counselling, this type of direction does in fact necessitate greater involvement with the workers, rather than just visiting and monitoring.

Mr Jackson: The minister has changed her tune. At least the NDP is not applauding innocent welfare fraud any longer. That was what she answered three weeks ago. I want to bring to the minister's attention that if Quebec had to go out and hire additional people to monitor, what are we going to be doing in Ontario? What kind of message is she giving to the civil servants in this province who are charged with the responsibilities of bringing in these reforms?

I want to advise the minister that this document only talks about her ministry's enforcement of municipalities giving the money out. It says nothing about the responsibility of the civil servants to ensure that it is given out without any fraud. The fact is that Thomas Burns, a retired policeman who was a welfare case worker, was let go by her ministry because of his obvious interest in and concern for welfare fraud. He was let go because he made the mistake of talking publicly about the fact that there were serious cases, an overabundance of cases in his area, of abuse and fraud. What kind of message is the minister giving to civil servants in this province if in fact they are not to assist by stopping fraud, but rather to be quiet and ensure we just continue to give out this money in Ontario?

Hon Ms Akande: Let me first correct two of the premises on which the member's question is based.

First, let me assure this House and everyone in it that we do not support fraud, nor have I at any time in this House supported fraud or suggested that it should be condoned by the ministry.

Second, we have only the member's assessment of why the gentleman was let go, and I would wonder whether that would indeed be accepted as accurate or as general.

Third, let me assure members that the monitoring process being replaced by a demand for much more involvement of counsellors not only ensures that people are in the correct place in terms of level, but also assures that those members of our society who require the money most are in the right place and are not being cheated by getting less money and it also prevents them getting more than they deserve. And it puts them back to work, out at opportunity planning and back-to-work workshops or retraining. That is a most important concept.

CROSS-BORDER SHOPPING

Ms Harrington: My question is to the Minister of Revenue. All of us from border communities, no matter what side we are on, know that cross-border shopping is indeed a serious problem. All of us also know that the underlying reasons for this problem—the border, the duties, the value of the dollar, the interest rate, even the GST—are federal matters.

None the less, we care very deeply, those of us who represent border communities, about the economic health of our communities. Often one might even think that the federal level does not care if there is a southern border at all. Two weeks ago the minister met with the federal minister. I was wondering if she could let us know what happened at that meeting.

Hon Ms Wark-Martyn: I would like to thank the member for the opportunity to speak on the very serious issue of cross-border shopping.

On request from business people, labour, retailers, my caucus colleagues and members of the opposition, I went to meet with the Minister of National Revenue, Otto Jelinek, several weeks ago to discuss cross-border shopping and the effect it was having on our province, particularly the cross-border communities. I presented Mr Jelinek with the opportunity and asked him if he would collect the retail sales tax at the border. Mr Jelinek refused to discuss that with me, saying that unless we agreed to harmonize the GST with the retail sales tax, we would not be able to discuss the issue.

Recognizing the major differences in the two taxes, I said we could work together to try to eliminate some of those major tax differences and then perhaps he would collect the retail sales tax for us. Mr Jelinek then again refused to discuss anything further.

I would like to make everyone in this House aware that this government is against the GST. Through debate on Bill 1 I am sure all members in this House have had the opportunity to discuss this bill.

I would also like to make it clear that the federal government has not agreed to collect provincial tax for any other province in Canada, including Quebec and Saskatchewan, which have harmonized with the GST.

The Speaker: Would the minister conclude her remarks, please.

Hon Ms Wark-Martyn: Cross-border shopping has increased since the increase of the high interest rate, the high dollar, the free trade agreement and the GST. Until the federal government recognizes its responsibility to our country and our province, we will be unable to resolve this problem.

Ms Harrington: I would like to ask the minister if she would let us know what the terms are of the agreement between the province of New Brunswick and the federal level.

Hon Ms Wark-Martyn: New Brunswick also met with the federal minister, Otto Jelinek, just after my visit. Mr Jelinek offered the same offer he offered to us as a province, something we said we would look at. That offer was to share information, and not, as the member for Ottawa-Rideau stated yesterday, to collect the provincial sales tax. The federal government has not agreed to do that with any province. They have agreed only to share information.

This proposal is being looked at both by my ministry officials and the ministry officials from the federal government, and I believe that is also what is happening with New Brunswick. So there has been no agreement to collect for any province in Canada at this point.

1500

OMA AGREEMENT

Mr Phillips: My question is to the Minister of Health and it is on the recent Ontario Medical Association agreement. The minister will be aware that the OMA handed out its explanation of the agreement and, honest to goodness, it looks like a completely different agreement than the one that she explained in the House. She said it was closed-ended and it says it is open-ended; she said there would be a 5% saving and it says the maximum will be 1%.

I have a specific question for the minister because there are many areas of this agreement where there seems to be some substantial disagreement on interpretation between the OMA and the government. One of their charts shows that there is population growth and demographic shifts that will represent about 2% growth in the payments to doctors. The minister in her statements and in briefings to the House has said that the savings as a result of the threshold would be used to offset that. Clearly the OMA feels differently. They say that money will be simply added back to the pot and distributed to doctors.

This is a \$40-million decision, the interpretation of this. The OMA has one interpretation; the government has a different one. Which one is right?

Hon Ms Lankin: I sort of smiled when the member said that he was reading the OMA interpretation of it and that it is entirely different than the government's interpretation of it. It is no secret to the members in the House that

I have a background in negotiations, and in fact that does not surprise me. Both parties present issues and present the points of an agreement that are important to them. I think if the member looks at the interpretations, he will see that in certain key areas there is substantial agreement about what that deal meant.

With respect to the specific question that the member asked, we have said from the beginning that the moneys that will be saved as a result of the threshold that has been negotiated, that is in place on doctors earning over \$400,000 a year, go back into the pool. Our estimation is that it is an offset to about the 2% growth in demographic population, in population adjusted for age. That is what will cover that before the cost-sharing formula with respect to growth and utilization kicks in. So my response to him is that the position I have put forward here in the House and the government has stated, that this is an offset to that, is in fact correct.

I think what is difficult to understand about this is that it is a pool of money and that the cost-sharing formula—

The Speaker: Could the minister conclude her remarks, please.

Hon Ms Lankin: Mr Speaker, I understand your wonderful attempt to impose discipline. It is a complex subject, and I am unable to answer it in a much quicker fashion. Perhaps what I will do is wait for the member's supplementary. If I need to clarify it more, I will attempt to on that.

Mr Phillips: I assure members that there is a difference in interpretation between what we have been told by the minister and what the OMA interpretation is, and it is worth about \$40 million. There is a difference in interpretation and I do think we need that.

The minister has said that this agreement represents a major step forward in managing health care. At the same time I think the minister would agree with the statement that the future determination of this \$5-billion pool will be made by an unfettered, independent arbitrator, who will make a \$5-billion decision. The decision, including the threshold that the minister has talked about—I realize there is a threshold now at \$400,000—in the future will be made by an arbitrator. Utilization will be made by an arbitrator, and it is an unfettered arbitrator.

In fact, in the explanation, does the arbitrator have to consider the government's fiscal policy or the government's ability to pay? No, there is no reference to government's fiscal policy, budgetary policies, level of indebtedness or ability to pay in this agreement. It is clear that it will be an independent arbitrator making a \$5-billion decision, 10% of the provincial budget.

After the arbitrator has made the decision on all of these things, can the minister tell me exactly what things she has responsibility for managing in that \$5-billion budget?

Hon Ms Lankin: I have to start back at the beginning of the response the member made to the supplementary in terms of saying there is a difference of interpretation. What we have put forward is perhaps unclear; perhaps he does not understand it. I do know that we have sent a letter

directly to him on this issue of the threshold money savings and how it applies. I am prepared to take a look at the OMA document he is referring to. It appears to be a question-and-answer document from the OMA that I am not familiar with.

With respect to the member's supplementary question, he put a question at the end after a preamble that I have to fundamentally disagree with. His preamble says that there is an arbitrator who is totally unfettered. It says that the thresholds will be open to arbitration. It says that utilization will be open to arbitration. I must ask the member, first of all, in going to a supplementary, to be clear about those things. The threshold itself and the level of threshold in the first three years of a six-year agreement is not open to arbitration. What happens is that it is adjusted by whatever the fee adjustment amount is.

With respect to utilization, the formula is not at all arbitrable in the first three years. It is not until we have got some experience, some management systems in place through the committee, that this opens up. At that point in time, and in fact before that, the arbitrator is in fact fettered.

The question that the member read specifically refers to budget policy and ability-to-pay language. I will agree with the OMA's interpretation—I assume that is an OMA document he is reading from—that those specific words are not there. However, if he reads the agreement and he does in fact have a copy of the agreement, there are economic criteria, the economic climate within which the province finds itself, that do fetter the arbitrator. I have to fundamentally disagree that it is an unfettered arbitration.

POLICE SERVICES

Mr Tilson: My question is for the Solicitor General. During Police Week I met with police officials from various detachments throughout my riding of Dufferin-Peel. At each meeting, it was clear that police are deeply concerned about the province's commitment to the safety and security of their communities and of their own forces. The crime rate in Ontario continues to climb, and it is becoming evident that the police cannot keep up.

An example of this, which causes me great concern, is the inability of the Shelburne police force and Ontario Provincial Police to provide 24-hour policing. While doing their best, they are only able to ensure the security of the community 24 hours a day for half of the year.

What is the Solicitor General going to do to ensure the safety and security of communities outside of Metropolitan Toronto that are dependent on the services provided by the Ontario Provincial Police and yet are not receiving 24-hour policing?

Hon Mr Farnan: I welcome the member's concern in terms of policing. I myself have taken the opportunities to work with our policing services in terms of foot patrols or ride-alongs, whether it is on the highway or other areas. I know my critic in the Conservative Party has done the same, and I think that is important for members.

Our resources are being stretched. It is a very serious concern. There is right now a comprehensive review taking place by the OPP. That review will be presented to me,

and in the context of that review we will have perhaps some recommendations we will look at that speak to the concerns that have been raised. But we will have to look at those concerns in a very broad context in terms of financing and in terms of the resources that are needed to do the very demanding job that is required.

Mr Tilson: There are a number of communities in this province that are greatly concerned that they are not getting 24-hour policing, and I am afraid the minister is going to have to move a lot faster than he has been doing.

If the minister was paying more attention to the job at hand, he would certainly be aware of the fact that the crisis facing Ontario police forces has arrived at such epic proportions that in my riding alone the OPP officers have been forced to resort to using their own personal vehicles to respond to crime calls. These vehicles are not equipped for responding to a crime scene. They do not have sirens, they do not have radios, and as such are woefully inadequate for the protection of either our officers or our citizens. The security of both our citizens and our police officers is therefore at peril.

Will the Solicitor General make the commitment to the people of Ontario that instead of his government spending millions of dollars on salary increases for its senior management it might purchase police cars for the Ontario Provincial Police?

Hon Mr Farnan: There are some areas of the province where we do not have 24-hour service. Obviously we look at that situation and we want to address it, but I must say that always there is response from neighbouring units available for the areas that may not have the full 24 hours. They may have 18, but the neighbouring area will then provide that service during the intermittent period. Let's not exaggerate and blow it out of proportion.

Second, I want to know the details. I want the information that is available to the member. I want all of that information. I would be happy to receive it and I will certainly investigate it. I certainly consider it very serious. Please, I would have been happy if the member had thought it good enough to come over to my office and discuss it rather than have this kind of situation in the House. It would make good sense if the member would give me all the details.

1510

QUARRYING IN PROVINCIAL PARKS

Mr Drainville: I would like to address my question to the Minister of Natural Resources. There has been recently quite a bit of controversy and questioning around the extraction of aggregates in Sleeping Giant Provincial Park. I am just wondering if the minister could comment on whether that is going to be allowed or not.

Hon Mr Wildman: The member is quite correct. There has been a lot of attention given to this issue in recent times because of the Ministry of Transportation's commitment to reconstruction of Highway 587. I would like to inform the member, though, that I am not willing to allow aggregates in the park to be used for this project.

Mr Drainville: Nothing could be clearer than what the minister has indicated to the House, but there is still

some concern around this issue. Is this a specific policy on the part of the minister or is it a general policy for all parks at this time?

Hon Mr Wildman: That is a very good supplementary. I think it is fair to say that this is specific to Sleeping Giant at this time. In order to address the broader issue, the ministry has established a working committee that will provide a province-wide policy statement on aggregates extraction in provincial parks. We expect that work will be completed very soon.

It would have been more appropriate perhaps if the previous government had ensured that its policies and legislation coincided with one another so that its parks policy in the new Aggregate Resources Act which was just declared would not appear to have left any loopholes and we would have ensured that we would have had a policy for all of the province. But we are trying to clear up what they were unable to do.

CROSS-BORDER SHOPPING

Mrs Y. O'Neill: I would like to present my question to the Minister of Revenue. I find that I cannot share her confidence. The results of the meeting were certainly not nearly as congenial from my reports, and certainly even some of the facts she stated regarding the status of the New Brunswick negotiations I have in question. But I want to turn to another matter.

Today the Liberal task force has been in Niagara Falls and Welland. They were told that the NDP budget has only exasperated the problem of cross-border shopping and further damaged the local tourism industry.

Hon Mr Wildman: Exacerbated or exasperated?

Mrs Y. O'Neill: We will leave that.

Mr Callahan: Exacerbated the problem.

Mrs Y. O'Neill: Exacerbated is the word I want to use, and that is the word that needs to be used. Americans just do not come across the border any more. In an interview with the Niagara Falls Review printed on 27 April 1991, the member for Niagara Falls said that the government is considering a plan which would cut back provincial gasoline tax in border communities. She said: "The differential in the price of gas is something that brings people across the border. If you're not selling any gasoline, you're not collecting any taxes."

When will the Minister of Revenue and the Treasurer implement that plan announced by the member for Niagara Falls?

Hon Ms Wark-Martyn: Again, the cross-border issue is very serious. We recognize that here in Ontario, as my colleague across the House recognizes that. It is the federal government we have to get to recognize that. The federal Minister of National Revenue is quoted as stating, "Tinkering simply with gasoline prices is not going to change the cross-border shopping issue." There is more to it than our gasoline prices.

There is the high interest rate, there is the high dollar, there is the free trade agreement, there is the GST. Those are having a very high effect on cross-border shopping in Ontario and across our country. The federal government

has to listen to what we are saying in Ontario and across Canada, that this is having an effect, and it has to be prepared to do something about it.

Mrs Y. O'Neill: As usual, the Minister of Revenue refuses to talk about this province. I have asked her and asked her, but she continues to say something else. She is quoting a person with whom she had a very disagreeable meeting two weeks ago today as her resource in her confidence. I find that very confusing and, in fact, difficult.

The member for Niagara Falls, in that same interview, said that government workers in particular should be required to shop Canadian because it is Canadian taxes which pay their wages. She said these people have good jobs, paid for by the government. Can the Minister of Revenue confirm or deny that this government is considering this plan put forward by the member for Niagara Falls that government workers will be required to shop in Ontario?

Hon Ms Wark-Martyn: People are free to cross that border and free to shop in the USA or wherever they want to shop. Any border, they can cross and shop. I am not prepared to stop them from shopping.

I think people have to realize what they get from paying taxes in Ontario. They get health services. They get an education system and a social system. People have the right to choose what they want to do. We are definitely committed to working on the cross-border shopping issue, but until we have the federal government's commitment to work on it also, with us and with the other provinces, it is going to be very difficult to resolve the issue.

The Speaker: The time for oral questions has expired.

VICTORIA DAY PARADE

Mr Mills: On a point of personal privilege, Mr Speaker: Early this afternoon the honourable member for Quinte made some allegations to the effect that there was no member of the government present at the Victoria Day parade on Monday past at Queen's Park.

I would like to inform the House that I contacted the president of the Monarchist League of Canada personally. I indicated to him that as a member of Parliament and as a member of the New Democratic government I would be pleased to appear there as a representative. I also added that I was the parliamentary assistant to the Solicitor General, who is vitally in focus with the monarchists' view about the oath, and I said I would be glad to be there and meet with them.

I was not welcome there. They told me that they did not want me there because I was not official. I said that I am an MPP and I wanted to represent the government.

The reason why they did not want me there is very plain: It would have upset their agenda for the day, when all their speakers lined up and blasted this government. Their behaviour—some of the councillors from the city of Toronto—their agenda was solely directed towards making the NDP government look bad, and that is why they did not want me there.

The Speaker: It may come as a surprise to the member that he does not have a point of privilege, but it is certainly a point of great interest.

Mr Jackson: On a point of order, Mr Speaker: I would ask you whether you would review the previous request for a point of personal privilege. I believe the member had the right to stand in his place and correct the record as he saw fit, but I would ask the Speaker whether he would review the way in which we in this House are able to then proceed to draw innuendo, not only with members of the Monarchist League of this province, who are not here to defend themselves, but also with prominent members of city councils across this province, who the member also named.

I do not challenge his right to state what he said as he rose to comment, but I do believe he is being grossly unfair to an issue and not contributing much to a rather sensitive issue that is confronting us in this province.

The Speaker: To the member for Burlington South, I certainly draw to all members' attention that we really do not have anything called a point of personal privilege. Members may rise on a point of privilege. They may rise on a point of personal explanation. They may rise to correct their own record, not someone else's.

When members rise to make points of order or privilege, they make certain assertions. Those assertions may or may not be greeted with enthusiasm by other members, but they reserve the right, provided they maintain parliamentary language, to make those assertions. There is no particular element of fairness or unfairness which enters into it.

Mr Jackson: Mr Speaker, I was asking to draw that to your attention. In the previous Parliament it was the habit of the then Speaker to rise in the middle of a point and not wait until it was concluded to routinely advise people that it was, as you know, not in order. It was perhaps more helpful, and what I was asking you, Mr Speaker, on behalf of my privileges, was that you would examine this practice and that of the previous Parliament so that you might consider standing when it is apparent that the member has gone beyond the point to which he has addressed his personal privilege. It then could lend itself to abuse, and in the case of this member opposite, it went beyond, in my view, to create innuendo.

I was asking you, sir, to review your practice of when you stand to advise a member of the House that obviously his point of order was not in order.

The Speaker: I appreciate the observation by the member for Burlington South. I will reflect upon it. He will perhaps be pleased to know that there have been occasions indeed where I have followed his very advice. But as always, I appreciate the advice of all members. I will reflect upon his comments.

1520

PETITIONS

OPP CUTBACKS

Mr McLean: "To the Legislative Assembly of Ontario: "The Ontario Provincial Police Golden Helmets and pipe bands have served this province for many years and have been held in high esteem by all who had the privilege of watching them perform. They have been instrumental in creating good public relations, which is a necessity, be-

tween the public and all police forces, especially during these troubled times. These traditions should not, and in fact must not, be discarded.

"The provincial government should be as proud of these officers as the citizens of the province are. We therefore request that these units remain intact and are able to stay as an important part of the communities of Ontario and continue to promote good public relations."

That is signed by 49 people from the Royal Canadian Legion, Branch 67, in Lindsay, Ontario.

OATH OF ALLEGIANCE

Mr McLean: "To the Legislative Assembly of Ontario and Her Majesty the Queen:

"Resolved that the delegates to the 37th biannual convention of the Ontario provincial command of the Royal Canadian Legion, established at London, Ontario, on 12 May 1991, solemnly affirm our loyalty to Her Majesty Queen Elizabeth II and offer our unstinting service on behalf of the Dominion and Commonwealth of Nations.

"Some 1,500 legion members attended this convention and took part in this resolution and do not want to see our loyalty to the Queen disappear. When you join a legion, you stand for loyalty to the reigning sovereign and to Canada.

"Ontario has about 177,000 legion members who affirm our loyalty to Her Majesty Queen Elizabeth II."

That is signed by Norman Lywood from the legion in Lindsay.

INTRODUCTION OF BILL

SPECIAL EDUCATION STATUTE LAW AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT DES LOIS EN CE QUI CONCERNE L'ENFANCE EN DIFFICULTÉ

Mrs Boyd moved first reading of Bill 114, An Act to amend the Education Act and certain other Acts with respect to Special Education.

M^{me} Boyd propose la première lecture du projet de loi 114, Loi portant modification de la Loi sur l'éducation et de certaines autres lois en ce qui concerne l'enfance en difficulté.

Motion agreed to.

La motion est adoptée.

Hon Mrs Boyd: The Special Education Statute Law Amendment Act, 1991, amends provisions in the Education Act, the Municipality of Metropolitan Toronto Act and the Ottawa-Carleton French-Language School Board Act, 1988, dealing with special education programs and special education services for exceptional pupils by (a) revoking the provisions dealing with trainable retarded pupils; (b) revoking the provision dealing with hard-to-serve pupils; (c) eliminating the regional special education tribunals and streamlining the procedure for appealing the decisions of appeal boards to the new Ontario special education tribunal; (d) permitting minority language sections of boards to establish their own special education advisory committees, and (e) permitting the area boards in Metropolitan Toronto to take over the provision of special education programs

and services for pupils with developmental handicaps who are now being served by the Metropolitan Toronto School Board.

ORDERS OF THE DAY

EMPLOYMENT STANDARDS AMENDMENT ACT (EMPLOYEE WAGE PROTECTION PROGRAM), 1991

LOI DE 1991 MODIFIANT LA LOI SUR LES NORMES D'EMPLOI (PROGRAMME DE PROTECTION DES SALAIRES DES EMPLOYÉS)

Resuming consideration of Bill 70, An Act to amend the Employment Standards Act to provide for an Employee Wage Protection Program and to make certain other amendments.

Reprise de l'étude du projet de loi 70, Loi portant modification de la Loi sur les normes d'emploi par création d'un Programme de protection des salaires des employés et par adoption de certaines autres modifications.

Mr Offer: It is a pleasure to rise and take part in this debate. This debate is one that was commenced, I know, a number of weeks ago. For a variety of reasons, I have been dutifully waiting in my chair to take part in the debate. I am pleased that it is today that we are finally resuming discussion on what is and what has become a very contentious piece of legislation.

I say that with some regret, because I did not believe this had to be the case. This is a bill that has caused a great deal of concern for a great many people throughout the province. I say that because since the inception of its introduction, which, I believe, was 11 April 1991, many individuals from across this province have contacted me, speaking to some of the issues contained within the legislation, issues that I have, on occasion, brought forward to the Minister of Labour.

I know my colleague in the third party has also attempted to bring forward some of those concerns to the Minister of Labour during question period, with a view to ascertaining whether the minister will be prepared to indeed look at and accept amendments to the legislation, amendments that could only improve the legislation, that can only alleviate some very grave concerns that have been indicated, the arguments of which have been posed quite clearly, certainly to myself and, I would anticipate, to all members of this Legislature, and surely to the Minister of Labour.

It has been, I must say, disappointing that the Minister of Labour has been unwilling to entertain those types of amendments, to acknowledge the argument made by many people, to acknowledge the substance of the argument made by many non-profit, charitable organizations across this province. It is also very disappointing that the minister has not been forthcoming—that is the word I use—when the question was posed to him as to whether he would encourage public hearings on this particular piece of legislation.

It is not something that requires further discussion. It is a question that only ascertains or attempts to ascertain the willingness of any one particular minister to acknowledge

that there are concerns, to acknowledge that there are people who want to make their voices heard, to have their arguments listened to, their substance of matter analysed, and a public hearing is one of the most effective forums in this Legislature that we have to do so.

It has been disappointing that the minister has not been able to acknowledge that there are such concerns, that there is this method of consultation—I know from his experiences in this Legislature that he is well aware of this avenue—and has not said, “Yes, there shall be public hearings.”

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It is specifically on those two issues that I will speak in opposition to the action of the Minister of Labour, to the direction that he has taken, to the gutting of the principle that was first espoused by his government, effective 1 October, in the month of October. It was in that month, on the day the Premier allowed Varity Corp, first, to leave the province as its head office and, second, to reduce the required employment level in the province, that they announced their intention to introduce a wage protection plan.

I will tell members that when I first heard that announcement—I make no reference to the Varity matter, which is another issue for potentially another day—on this one particular area dealing with the wage protection and what was stated, I was quite favourable to the principle which was indicated by the Premier on that day in October, that retroactive to 1 October wages of employees who are the victims of bankruptcies will be protected by the government, an announcement which stated as a principle of the government that it will be a program of the government and by the government that the wages of employees will be protected.

There are, I believe, few who would argue against that principle. It was announced in October; it was retroactive to 1 October. I spoke with many of my caucus colleagues on this issue and we were in favour of that principle and continued to stand in favour of such principle, but with a caveat, and that is that we wanted to see in the legislation. We wanted to see that the legislation, the substance, the words were true to the principle announced in October.

We waited. We waited through the month of October for legislation. We waited through the month of November for legislation, through December, January, February and March. Finally, in the month of April, there was legislation announced. I take note that the honourable Minister of Transportation makes light comment over a matter which our caucus does not view lightly. Those particular months were, in the words of his own Treasurer, the months where this province went through the worst recession since the 1930s.

In the past year this province has lost 250,000 jobs. Bankruptcies are up to astronomical proportions. I think all members of this Legislature recognize that the job loss during this recession is not just cyclical in nature. It is not just layoffs. It is not a job loss where the jobs are coming back, which in many ways was the experience of the recession of the early 1980s. In this recession there has been not just job loss but in fact job disappearance. A great

many individuals lost their jobs for a variety of reasons. Almost 50%, if I recall correctly the figures of the Treasurer, are as a result of plants moving out, plants closing.

I make the point to stress and underline the severity of this recession, the harm, the devastation that has befallen not just the employees but, as we all know through our work in our constituency offices, the families, in fact a whole destruction for many of a way of life. I do not think I overstate the case. These have been and continue to be for many very, very difficult times.

I have spoken about the germ of the idea for a wage protection fund. I have spoken about how it was first announced as a secondary matter in the month of October and how it carried the principle that workers who are owed wages from companies that go bankrupt would be protected by the government. As I have indicated earlier, I and my caucus certainly agree with that principle. We recognize that it is the right and it is the obligation of a government to announce programs of that nature and kind, but it is our right, as it is the right of all persons within this province, to wait until the legislation is introduced to make certain that the legislation in substance carries forward the principle as previously announced.

We waited, as I said, for that legislation. Finally, after the legislation was introduced, we looked at the legislation and looked hard, severely, critically at the legislation. There is nothing the matter with doing that. I think all members would accept that not only is it the role of the opposition and third party to do so but in fact also of the government. They want to make certain that the piece of legislation carries forward the principle and does so in an effective and efficient manner.

A cursory glance at the legislation on that day in April would, I think, have caused little concern, but it is our obligation of the opposition to take more than a cursory glance at legislation. It is our obligation as members to analyse such legislation. It is our responsibility to make certain that legislation achieves the purpose for which it was designed. We must examine the government legislation as to its fundamental principle, which we debate today at second reading, where we debate the principle of such legislation, and certainly we must look to its substance, how it will achieve that principle.

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I have done so. My caucus colleagues have done so. We have had good discussion. Many other organizations across this province have done so. I can tell the minister that this legislation does not embrace the principle that was first announced in October 1990. Concerns have been raised that the principle has been gutted, that the principle has been ripped apart, that the concerns of the people, organizations and associations across this province, clearly, substantively made, have not been listened to by the government.

I can attest to that because just two days ago I posed a question, and by way of supplementary two questions, to the Minister of Labour to ascertain whether there was even a glint, a possibility that the minister, well aware of the arguments made, would deal with the concerns of so many

individuals. I am disappointed that in his response the minister, in essence, denied that.

By supplementary, I again asked the minister, "Is there the possibility that you would stand in supplementary and say, 'I support public hearings over the summer,' where those individuals can come before a committee, express those concerns, where we can get into a full committee and clause-by-clause debate, where we can make the bill the bill it was designed to be in the month of October?" The minister's response—and I suggest that anyone who wishes just turn to Hansard of two days ago—is clearly one that leads to much disappointment.

We have the concerns. We have the reaction of the minister. We recognize that the principle which we so supported in October is one that is not carried forward in this particular bill, Bill 70. What do we do? Do we stand by today and say: "Oh well, we'll accept this bill, on principle, in second reading, with all of its major faults. Oh, we'll accept this particular piece of legislation without a commitment by the minister to truly look at amendments to make this bill the bill it was supposed to be. Oh, we'll accept the bill on second reading without a clear commitment by the minister to have public hearings"? We cannot do that.

We need more commitment from the Minister of Labour. It is a simple task before the minister to commit to public hearings. Governments before have done so.

Hon Mr Cooke: He's already done that.

Mr Offer: I hear the Minister of Housing say, "He's already done so." All I can do in response to that interruption is to ask the Minister of Housing to look at every question dealing with public hearings posed to the Minister of Labour from the introduction of this legislation and to point out where that minister has committed. There has been no commitment. For the Minister of Housing to say that there has been is not to bear truth to what has happened in this Legislature and through Hansard.

Hon Mr Cooke: He is not allowed to say that.

Mr Offer: I see that the Minister of Housing is speaking to the Deputy Speaker and the Deputy Speaker is looking at the Minister of Housing.

Hon Mr Cooke: He is not allowed to call someone—

The Deputy Speaker: Order, please. If the member has said something which is not acceptable to the member for Windsor-Riverside, please stand up and let me know, because I did not hear anything.

Hon Mr Cooke: Mr Speaker, the member was saying, and fairly clearly saying in a roundabout way, that something I interjected was lying, not bearing truth. That is the same as lying. He can play fast and loose with his language in here if he wants. The Minister of Labour has been absolutely clear. The member's House leader knows exactly what the process is. Why does the member not get on with debating the bill instead of playing games in public hearings?

The Deputy Speaker: Did you refer in any way to—

Mr Offer: Mr Speaker, I think even in the Minister of Housing's response he said "roundabout." He never stated

any one particular fact. If he wishes to, let him stand now and do so. I will await the Minister of Housing making that statement.

The Deputy Speaker: Order, please. My question was straightforward. Did you refer—

Mr Offer: I will continue with the debate on the principle of this particular legislation, which of course—

The Deputy Speaker: Order, please. I have asked you a question. Did you refer to the minister as lying?

Mr Offer: Absolutely not.

The Deputy Speaker: Fine, please go on.

Mr Jackson: You twisted it around. Quit queering up Hansard.

Hon Mr Cooke: Talk about twisting.

Mr Offer: The member for Burlington South is now in some discussion with the Minister of Housing and I must say that I support the statements by the member.

Before having had to respond to those interjections, I believe we are dealing with an important piece of legislation. This is a matter where we in this debate must deal not only with the principle of the legislation but with whether the particular piece of legislation in its current form carries forward the principles that were announced in October 1990. I have been clear in our party's concerns that the legislation, for a variety of reasons which I will get into in some detail in the next while, clearly does not. The legislation does not address the principle that was announced in October, which we supported.

However, I think we should be aware that much of the need for this legislation is as a result of the wording of the federal Bankruptcy Act. I do not think there is a member in this Legislature, and surely not anyone within this province, who would not agree that many of the difficulties and the need for this legislation are a direct result of the wording of the Bankruptcy Act, an act which in matters of bankruptcy determines which creditors receive their funds first, which people owed money as a result of a bankruptcy receive them in priority to another.

It is how the wages, vacation pay, termination and severance are prioritized after the secured creditors, or what are usually lending institutions, receive their dollars first. There are not sufficient funds after the secured creditors receive their funds for those employees who are owed wages, termination, severance and vacation to fully recoup all that is owed, and so it is in large measure a need for change to the federal Bankruptcy Act that would alleviate much of the concern.

I just refer to an article which appeared in the Financial Post of 30 May. "The provincial government could avoid all this"—and they are referring to the wage protection fund—"if Ottawa moved on a long-standing promise to amend the Bankruptcy Act to give employees a preferred claim to wages and severance pay ahead of some creditors." I do not think we have to get into too many of the complexities of the Bankruptcy Act and the different levels of prioritization, but rather to say that a change in the Bankruptcy Act would in fact meet much of the need which is contained in the wage protection act.

1550

If that is the case, and I believe it to be, it would be nice to hear what the minister has done, to share with us his discussions with his federal counterpart to indicate whether such amendments to the Bankruptcy Act are forthcoming. I state that recognizing that the Bankruptcy Act is a matter of federal jurisdiction, but I state it also in light of what I believe to be an obligation of a minister to share with us what actions he has taken with his federal counterpart to promote the need for change.

To date, I have heard of no meeting having taken place between the minister and the federal minister charged with the responsibility of the Bankruptcy Act. I have heard of no letters being forwarded or exchanged, no telephone calls being made, no action being taken. I believe that is a necessary aspect, an action that the Minister of Labour should undertake.

I suggest that in certain circumstances, recognizing that the Bankruptcy Act is one of federal jurisdiction, it is the responsibility of provincial ministers, on issues which are not within their jurisdiction but certainly of concern to their province, to take that concern to their federal counterpart, to discuss with them the need for change and the possibility of change.

I state this in this Legislature at this time in second reading with the minister in attendance, hoping that when the time comes in this debate, the minister will use some of that time to share with us what he has done to promote the need for change.

I recognize that the minister cannot change the Bankruptcy Act. I do not ask the minister to do that. I do say that the minister, a provincial minister, recognizing a need and a concern in a province which may not be within his or her jurisdiction but indeed one which underlines or underscores a very important need, does have a responsibility, a right to act to take that matter to the federal level. There are ministerial and justice conferences throughout the year where provincial ministers and federal ministers get together on issues for discussion.

I will invite the Minister of Labour, when the time is available, to share with us what he has done in this regard, what he has heard in this matter, to share with us the likelihood of change to the Bankruptcy Act. I recognize that does not have to do with this particular legislation directly, but it does have to do with this particular legislation in a very important and fundamental way because, with a change to the Bankruptcy Act, much of the legislation before us contained within Bill 70 is unnecessary.

Now I would like to deal with the legislation at hand. Before doing so, I hark back to the statement by the Premier in October 1990 that the Ontario government would create a wage protection fund for employees who have lost wages as a result of a bankruptcy; an initiative funded by a government, an initiative to be embraced in legislation, a principle which on this side we can support.

Let us look to the existing law. I must in all good conscience certainly acknowledge the good work of many law firms in this area that have provided through a variety of ways information to myself as to what the current law is, what the remedies are for employees under the current

law and what the implications are of this new legislation. Basically, under the existing law without change, there are two areas where an employee may obtain recourse in an action where a bankruptcy has occurred, where an employee has recourse to obtain lost wages. The first is under the Employment Standards Act, the second is under the Business Corporations Act.

First, I want to deal with the Employment Standards Act because under that act currently, an order to pay amounts up to a maximum of \$4,000 plus any severance pay owing can be issued by the ministry against an employer. Where the employer is insolvent or bankrupt, the employee is treated as an unsecured creditor. I now move back to my comments on the Bankruptcy Act because, given the non-preferred ranking that employees have, they can in fairness seldom recover the amounts owing from the company under the statutory rights where the employer is bankrupt. In fact, though there is recourse under the Employment Standards Act, that recourse when intertwined with the Bankruptcy Act provides very little real recovery.

The second area is under the Business Corporations Act. A director can be held personally liable for unpaid wages not exceeding six months and for vacation pay accrued for not more than 12 months. This does not include severance or termination pay, and the vacation is calculated at 4% of the employee's annual wages. So we have these two areas: one under the Employment Standards Act which meets a barrier as a result of the workings of the Bankruptcy Act, and the second under the Business Corporations Act.

We must talk about reality, and in reality rarely do the claims of an employee in terms of wages and vacation under the remedies under the Business Corporations Act amount to a great deal of dollars. Claims are minimized because workers, as we all know, expect and find unsurprising, would not allow their wages to go unpaid for any significant amount of time. They would recognize that there is a difficulty and, as such, that remedy for wages and vacation pay is in many ways protected under the Business Corporations Act. Payment is secured in that area. Wages earned in that aspect are not lost. Vacation pay accrued is in fact recovered.

I do not want to get into too great detail but to say—if I might, by point of order, Mr Speaker: I noticed that the clock was running. I am sorry. For those who are watching on television, I thank them very much. I was somewhat distracted by the clock doing strange and funny things in my face. However, I am now back on track and I will no longer refer to that and just continue on.

1600

As was indicated, and we are talking about a very serious matter, wages earned in many ways are not lost; vacation pay accrued is recovered. I believe it is important that when we speak to this issue, we recognize that we are not talking about the establishment in many ways of a new set of rights for the employees in this legislation where none existed before. We are talking about an expansion of those rights, an expansion of the rights of employees in certain circumstances to obtain more than wages and vacation pay.

It is our responsibility to ask as a result of that, how is that to be accomplished?

We now go and review the bill. How does the bill in substance deal with the principle previously announced? Does the bill do so?

The changes in this bill do not apply to the Ontario Business Corporations Act. They do apply to the Employment Standards Act. Members will recall that earlier I spoke of basically two routes that employees had, two alternatives. This bill speaks to the Employment Standards Act.

What does this bill do? Basically, four things. It expands personal liability beyond the directors to include officers. Second, it expands an employee's claim against those directors and officers beyond wages and vacation pay to include termination and severance pay. Third, it carries with it a fine on a director or officer up to, I think, in fairness, a maximum of \$50,000. Fourth, the personal liability of an officer and director in a company insolvency will remain for one year after he resigns. Those are the basic four principles as contained in the legislation.

I do not wish to misrepresent the legislation by stating that these are all of the aspects contained within it, but I believe and suggest that these are four of the major areas stated in the legislation which are designed, I would imagine, in principle to carry forward that which was announced in October.

Here we are with those four basic aspects of the legislation, and from those four aspects concerns have arisen. I want to share some of those concerns with members this afternoon. I want to do so because it is the position of our party that the legislation as worded does not further, does not embrace, the principle that was announced in October, that principle with which we were in agreement. The legislation says and does something else. The legislation and its implication means something else and the concerns of many people across this province are growing each and every day.

I think at this point it is important to say it is not the concerns of business. I do not want this debate to be interpreted as there being two camps, employees and business. That is not how this debate is evolving. It is not what these concerns are all about. These are the concerns of men and women who are giving of their time freely to community, non-profit corporations. These are the concerns of men and women who have agreed to take a particular position in a corporation without having the responsibility of the day-to-day operation of that particular corporation, who are not given that responsibility, but who have none the less agreed to sit on the board as officers and to provide a certain experience and expertise to the board. This legislation will, without any question, expand the personal liability of these individuals in areas and matters which I do not believe even the minister can estimate at this point.

I will provide in short order some information which was provided to me as an example of the type of liability that men and women who do not have responsibility in the day-to-day operations of corporations will subject themselves and their families to.

They are concerns which we felt could be rectified. They are concerns which we felt must be rectified. We were very disappointed in the minister's response to questions posed, not only by myself but by other members of the Legislature. It would have been nice if one of the members of the government side would have posed the question. The minister seems unwilling to deal with it, and it causes us no other alternative but to say no to this legislation, that it is so badly flawed and that the minister is so unwilling to permit public hearings to take place to deal with matters of concern, which he knows the arguments for, that we have to use this opportunity, as members of the opposition, to say we cannot allow this matter to go forward without the minister and members of the government recognizing how seriously the opposition party views these concerns.

We are giving the minister notice. The opposition party feels very strongly that the concerns, which I will get into in just a short while, are so fundamental and so substantial that the minister has no alternative but to address these concerns by amendment to the legislation.

I can count the numbers in this House, and certainly we could take the easy route out by saying, "Well, we have these concerns, but we still agree with the principle." We cannot in all good conscience do that, because this principle is not the one which was first announced in October. The bill is so badly flawed that we give notice. We give notice by our opposition at second reading that we demand changes to this legislation, that the concerns of those individuals are so very important, send out such a clear message, they must be met.

Where in fact do our concerns rest? I have spoken about them, and I feel that it is necessary that we deal in some substance with them. First, the liability has been expanded. Personal liability has been expanded from what is now directors to directors and officers.

1610

Interjections.

Mr Offer: Some across the floor yell, "Hear, hear," and that speaks mountains as to the likelihood that the government will change this legislation. That says it all. That states that the position which we have taken on second reading is one which I feel absolutely comfortable with.

We have to recognize that in many instances, officers do not carry on the day-to-day operations of the corporation. They do not. They have been asked in many cases to sit. They have been asked in many cases to share with corporations and companies an experience, an expertise, and they do so. It makes the underpinnings of our economy stronger. It makes the message that this province sends out, not only to those within the province but to those outside the province, one which is positive.

What does the legislation do? It says: "We do not care whether you have any responsibility for the day-to-day operations of the corporation. We do not care whether you can or cannot share your experience and expertise. This legislation will, on a personal basis, outside of the Business Corporations Act of Ontario, subject you to a potential

liability of thousands and thousands of dollars, a liability which you will feel, which your family will feel, which could result in your whole way of life being destroyed."

What do reasonable people do? They say: "I'm not going to sit on this board. I'm not going to give any contribution. I, in all conscience, for my family, can't do this."

I again refer to a Financial Post article, and there are many other articles, not just from the media, please; I do not want anyone to think that it is just from the media. Many individuals and businesses across this province have sent me letters. This was written by Michael Crawford, who writes:

"When I first sat at my desk looking at it"—it being the legislation at hand—"I was stunned, physically stunned. I couldn't believe it. To me, this is the most threatening piece of legislation I've ever seen. The employee wage protection program, given first reading last month, has prompted a rarely seen flurry of urgent bulletins and alerts from law and accounting firms warning clients that their life's savings, home, registered retirement savings plans and personal assets are in danger."

I do not think we can make light of those things. I see some members across the way smiling at this. I do not think we can make light of this. I think this is an issue and a concern which must be addressed. I think this is a matter which it is the responsibility of the government to address.

Interjections.

The Deputy Speaker: Order.

Mr Offer: I am disappointed in the extreme that it appears that the members opposite do not recognize the impact of this, and worse than that, do not recognize that it is capable of being corrected. It can be corrected. This issue can be dealt with. But the question will be, of course, in the end result, will the government do so? At this point in time I stand here with some concern whether they will in fact do so.

What could this potential personal liability be? I have one example, referred as a representative example, which assumes that if company A goes bankrupt and had 100 employees with an average salary of \$35,000 a year, \$675 per week, every employee would be entitled to the following minimum in law: unpaid wages, we assume one week, \$625; termination pay, eight weeks, because there are over 50 employees terminated, \$5,400; severance pay, 15 weeks, with a 15-year average seniority, \$10,125; vacation pay of 4%, \$1,400. Adding those four aspects together, they come to a minimum liability per employee of \$17,550. That is the type of liability this legislation will foist on individuals, officers, who do not have any ongoing operation of the corporation. And that will potentially be increased very much if certain signals from the Minister of Labour in increasing the severance pay in all of those types of aspects of the legislation would be implemented.

So we are talking here about a minimum. We ask ourselves who is going to potentially sit as an officer? The member across the hall waves a hand showing five, making \$5,000, I would assume. Unfortunately, that is just not the legislation. The member should be aware that the personal liability extends beyond that. If the members on the

government side think the personal liability of directors and officers is going to be limited to \$5,000, I invite them to read the legislation and, I hope, some of the letters of concern that I know they must be experiencing.

Is that the only concern we have? No, it is not the only concern, because this particular piece of legislation goes even further. It attaches itself to non-profit charitable corporations. That is what this legislation does. It attaches itself to that area of endeavour. Is there a member in this Legislature who does not know of individuals in his or her community or constituency who have given of their own time to sit on non-profit charitable boards to make their community in many ways a better place to live and work?

We in this Legislature recognize that much of the very good work done in all of our ridings is done by the volunteer who selflessly gives of himself and herself each and every day. What does this legislation do? It says to those people, "You are potentially personally liable for thousands and thousands of dollars." What does the reasonable person do? I think the reasonable person does what this person did. He speaks about his wife. This person is the president of a not-for-profit charitable corporation. This is what is happening in members' communities now. If this legislation before this Legislature is passed, that corporation will lose not only the president, but the other seven officers and directors who cannot afford to put their families' personal assets at risk.

My goodness, this is what is going on in the communities of the members on the government side. Would they please listen. Would they please take a look at what people are saying. This person who writes this letter has no care whether there are Liberals or Conservatives or NDP. This person writes a letter as an example of other people who have given of their time for their community. These people are leaving. These people are moving off the boards. We are losing the lifeblood of our communities. The worst aspect of all this is that it is capable of being rectified. It is capable of being looked at and solved. Is there the inclination, the willingness by the members of government at this point in time? I and my caucus believe not.

1620

We will wait to see if the minister will stand and finally state whether there shall be public hearings. We recognize the rules and the process available in this Legislature, but we will certainly be waiting to hear. We certainly are cognizant of the comments made by members across the floor, I think, in a certain jocular fashion, but it bothers me and our caucus. This is happening, this is real, this is going on in their communities right now and they can change it if they want to.

To sit and joke and chuckle over people leaving charitable, non-profit corporations in their communities, who have given years of time, is not a joking matter as far as our caucus is concerned. We are demanding that this particular legislation be changed, and because of the actions and the reluctance of the minister to acknowledge it, we are prepared to stand in this Legislature and vote against this particular piece of legislation.

Interjections.

The Acting Speaker (Mrs Haslam): Order. We have one person on the floor already. Please continue.

Mr Offer: If I might, I would like to continue with a few more points. These are very serious concerns, both as the personal liability will attach to the officers of corporations and what that means, and certainly as it will attach to those men and women who give so much to their community and what that means, and certainly the government's response to these concerns in such a lighthearted manner and what that means. That means a great deal.

Interjection.

The Acting Speaker: The member for Parkdale is not in his seat and should refrain from joining in the debate.

Mr Offer: At one point in this discussion there was a comment made by the member for London South, I believe, who spoke when I spoke about the impact this will have on those individuals giving of their time for non-profit corporations and charitable corporations, and I believe the comment thrown across the floor was, "Well, let them get insurance."

Is insurance available? We will be interested in seeing and we will be interested in hearing if it is available, what the cost is, and as a third observation, we will be interested in hearing what that means for the ongoing operation of those particular non-profit, charitable organizations.

It is not enough and it is not an easy answer to say, "Well, let them get insurance." That insurance may not be available. That insurance may be prohibitive. In the same lighthearted fashion let me say, "And if they can't get insurance, let them go to the government for that insurance." What do they say to that? Their lives, their personal assets, their homes and their way of life are all at risk because many of those particular organizations are certainly ones which, in fairness, need government funding. What happens if that funding does not come forward? The government itself will cause the demise of the individual's organization and kickstart the personal liability—issues we believe must be addressed, again, issues where to date they just have not been.

I have spoken to the principle of the legislation as announced in October by the Premier—I do not have the announcement before me—that there would be a government program initiative where wages for employees of bankrupt companies would be protected by the government.

At that point, without seeing the legislation but certainly on the principle enunciated, this party was in favour. The legislation came forward and we took a hard look at it because we wanted to make certain that the principle enunciated in October was the same in Bill 70 and, second, we wanted to see the process as to how that particular principle was going to be accomplished.

We looked hard. We had great discussions throughout our caucus about this legislation. We heard from many individuals, again, not just business but people who have given years to their community by sitting on boards for non-profit corporations, who have given so much. They said: "We have concerns. Under this legislation, we can't

sit any longer as officers of these corporations and we need change to the legislation."

We in our caucus feel that the principle is different and that it has been gutted and ripped apart. The minister is unwilling to receive amendment in an open fashion. To date the minister has not acknowledged the need for public hearings or given a commitment to do so over the summer.

There comes a time when a party recognizes that a principle has been altered in such a manner and to such a degree that in essence it has been gutted; when a party recognizes that a minister is unwilling to correct those errors; that it is improper to replace one very unfortunate set of victims with another equally unfortunate set of victims; that a statement must be made as to how deeply we feel about these concerns, how much we accept the principle of 1 October and how much we believe that principle is not embraced in Bill 70. That time is now, and this party will vote against this bill on second reading.

Hon Mr Mackenzie: The employee wage protection program is one of the most important initiatives this government has undertaken to ease the damaging effects of the recession. It forms part of the government's comprehensive measures to help workers through these difficult times. Because of this, we must not lose sight of the true significance of Bill 70.

1630

When workers are denied money that they have earned that is rightly and legally theirs, we feel it is absolutely necessary, indeed it is our duty, to help them recover that money, and in an extremely timely and effective way.

Workers have waited years to no avail for the federal government to overhaul the federal Bankruptcy Act. In the absence of new federal legislation, we decided that people in Ontario could not wait any longer for wage protection. We acted on our own commitment in the throne speech and introduced Bill 70.

This is important and responsible legislation. We have consulted widely before the legislation was introduced and during the last few weeks. We are listening to the arguments of organizations that have concerns about the proposed liability of officers, particularly in the charitable and non-profit field. As a matter of fact, I do not think our opposition members have been listening very carefully or they have selective hearing in this issue because I raised that in my opening statement on this bill and mentioned it in responses to at least two of the questions that we have been asked.

These are legitimate worries and it is clearly not the intent of the legislation to punish individuals or organizations. On the contrary, our overriding priority is to help workers who have lost their jobs without receiving the wages they have earned. It is impossible to find anyone who would argue with this principle, and that is why this legislation needs to be passed and passed quickly.

I want to say as well that it is pretty obvious to me not only that the opposition has not been listening but, in terms of hearings and anybody having a chance to appear before the committee, I just presume—maybe I made an assumption I should not—that when this went out to one of the

standing committees of the House, the first thing the members would want is to have people appear before that committee. I have no difficulty with that whatsoever.

It seems to me that there really has been selective listening across the way.

Mr Hope: I would like to reflect on what the member was talking about. He focused on one particular issue that this government has been listening to and the minister just cleared that error up.

What we have to do is lay the focus back to where it should be. The focus is back to those corporations that, through corporate restructuring, through the free trade agreement—and I must add the Mulroney free trade agreement—are closing plants and leaving workers without any money, dependent upon the UIC and then to be collecting welfare. There is where the concentration of the wage protection fund has to be.

To look at one particular issue, and this just tells us how much they really paid attention to the wage protection fund, they were not listening to the minister or the government on this side of the House as to exactly what we are trying to do.

But I think it is very important that the focus of concentration is happening around plant closures that are happening through corporate restructuring. A lot of corporate restructuring is taking place, through the charter, through the federal government's responsibility. There are corporate loopholes that people are being victimized by.

Do we wait for this federal government? Or do we do things within the power of this provincial government to help protect people until the federal government finally decides one day to call an election and let the people of Canada determine their future, which we know will be very short after the election, to make sure until the new government is in place and the New Democrats are federally in place? Then we can look at the changes and our wage protection fund will not be required any more.

I think it is very important to look at the broad base because, let me tell members, I have approximately 420 workers who are waiting for this wage protection fund and for the opposition to get on with it.

Mr Ruprecht: I have listened to the comments from the member for Chatham-Kent, whom I normally regard as making a great deal of sense. Normally, I say, he is making a great deal of sense, especially because he is responding to my friend on this side of the House. But let me simply say it makes no sense to stand up and blame each other and to say it is the Mulroney trade deal that is going to close companies and that is why this country is in such an economic mess.

Let us be a bit more reasonable. We could stand on this side of the House and simply say to all members opposite that the reason why the Ontario economy is in a great deal of a mess is because of this government's policy. But we are not going to do that today; we are not going to do that right now.

What we have got to do is to come to some kind of consensus and make amendments in this place. We are simply asking the government to make amendments that

are reasonable and right, so that all of us together can move forward and not blame each other when industries are shutting down left and right and jobs are being lost, and the people of Ontario are going to be in a position where they will say one day, I hope within this term of government: "Yes, we have employment. We have a job and we will not be interfered with by a government that is really very directly interfering in creating new jobs and new employment in this province."

The Acting Speaker: Questions or comments? Is there anyone else who wishes to partake in debate? Response?

Mr Offer: Oh, that is wonderful. Thank you very much.

I have been listening intently to the comments of members opposite and I very much agree with the member for Parkdale that this is not the time that the government should be pointing fingers at the federal government. This is a time where we are going through one of the worst recessions in the history of this province, where hundreds of thousands of jobs have been lost, and I do not think that the the government should take that aspect and that tack, because it was not long ago, and I have to speak over the interjections of the Minister of Transportation. I hope, since he seems to have so much to say in interjection, that he will take part in this debate, but we will wait and see.

Interjection.

Mr Offer: The Minister of Transportation, of course, raises his voice but still refuses to take part in the debate. However, that may say an awful lot of things. But I do believe we should be mindful, and certainly the government members should be mindful, especially the Minister of Transportation but all members of the government, that it was not too long ago that a budget was introduced by the government, which called for a deficit of almost \$10 billion. I posed a question to the Treasurer in this Legislature for him to point to one single job that budget created and the Treasurer could not do so.

Those budget papers do not indicate one single new job. It is not the creation of a job to say that if worker A is working today and worker A is working tomorrow, that is one job. That is not, that is Floydian economics. No one believes it, and this province is suffering for it.

Mr Runciman: It is a privilege to participate in this debate on a bill that is certainly significant with respect to this government's agenda. The minister intervened in the questions and comments section, which is not all that usual in this place, and perhaps he intends to continue to do that. We will encourage it. But he was talking about the principle, and I do not think too many of us have difficulty with the principle of the legislation. It is indeed laudable.

But when we are talking about terribly flawed legislation—and I think that certainly the comments from right across this province indicate clearly that indeed it is badly flawed legislation—we have a responsibility on this side of the House to make sure that the appropriate changes are forthcoming. If they are not, we simply will not be in a position to support the legislation, regardless of the merits of the principle behind it.

I have a lot of difficulty with the minister and his backbench colleagues frequently getting on their feet and saying, "Look, we're talking about laid-off workers in this province and obviously the opposition members do not have any real concern about those individuals who are facing very difficult times or they would opt for speedy passage of this legislation." I think that is a very unfair comment. It is certainly not an accurate assessment of the very genuine concerns held by opposition members with respect to this legislation.

With respect to all kinds of initiatives being undertaken or being promised by this government, especially some being touted by the Minister of Labour, some of the legislation that we have heard is going to be coming forward in the fall, which is scaring the bejabbers out of most business and industry folks in this province.

1640

Interjection.

Mr Runciman: One of the members is interjecting that it is good stuff, but he should go down and check with the American consulate with respect to the run on applications for green cards since this government came into office and since they brought down this draconian budget and its \$10-billion deficit.

They are chasing people out of this province; there is no question about it. We see so much emphasis on and concern being expressed by the government with respect to the poor and the jobless, I guess one has to wonder about job creation. There just does not seem to be any real interest in terms of job creation, only in bringing more and more measures that are going to scare people out of this province, the people who invest in the economy of this province, the people who are really the job creators in what has been the economic engine of Canada. We are seeing that being eroded. We have lost hundreds of thousands of manufacturing jobs in the last number of months and we are not going to see those return. Even in terms of a turnaround in the economy, we are going to see a very slow turnaround.

Hon Mr Philip: Be even worse after free trade with Mexico.

Mr Runciman: He will have to stand up on a point of order. I cannot read from 50 or 30 feet away.

I want to say it is these kinds of people, those who finance new enterprises, who are being penalized. These kinds of initiatives, added penalties, are simply going to force more businesses to leave the province, and taxes will rise for those who do indeed work.

What we have here—someone has referred to it as the People's Republic of Ontario, some sort of Marxist philosophy governing the enterprises of this government. I am not sure, when it is Marxist, whether it is more on the Karl side or more on the Groucho side. I think, from some of the antics of cabinet ministers in this House and some of the efforts of cabinet ministers, it is more on the Groucho side.

Interjections.

Mr Runciman: Well, you know, it is strange. We have seen the cabinet ministers being rather testy in the

last few days. I do not know whether it is the weather or what it is. No interjections and points of order and standing up making all sorts of comments.

Hon Mr Philip: What happened, did somebody set fire to your sheet?

Mr Runciman: I did not hear that. Probably it is as well I did not hear it. Yes, just as well, knowing the calibre of the interjections from that particular member in the past.

Hon Mr Philip: That's all right. You need somebody to explain them to you.

Mr Runciman: Yes, the member is a high-quality guy.

In any event, I want to talk about things that are happening in this province and specifically about this legislation. I will talk about an article that appeared in the *Financial Post* today. It begins:

"‘When I first sat at my desk looking at it, I was stunned, physically stunned. I couldn't believe it. To me, this is the most threatening piece of legislation I've ever seen.'

"That's Toronto insolvency lawyer Dan Dowdall's reaction to Bill 70."

We see the members of the government, and it happened with the previous speaker as well from the Liberal Party—they are being scoffed at and laughed at when they are raising legitimate concerns about a piece of legislation that is, in its current form anyway, going to have a significant negative impact on Ontario and certainly will not help the economic climate in this province. What do we get? This sort of catcalling, interjections and laughter which I do not think serve this House well or serve the debate well.

In any event, I want to put some of my party's views on record with respect to this legislation.

With respect to the expansion of the definition of "wages" in the Employment Standards Act, the expanded definition enshrines employees' rights to these debts in legislation rather than relying on the courts' interpretations as they have done in the past with respect to the definition of "wages." Expanding the definition greatly expands the immediate liability of directors and now officers, as they were not previously liable for termination or severance pay. Employees can get up to eight weeks of termination pay and 26 weeks of severance pay under the Employment Standards Act. This could amount to a liability as high as \$20,000 per employee.

This is the point I have been trying to make, that this will significantly increase the cost of running a business in Ontario. Corporations will now either have to put aside significant amounts of cash in case of a future insolvency situation or obtain liability insurance. I know the minister and other members have talked about liability insurance, but I think the people in the know with respect to this matter say that obtaining this kind of insurance is not going to be an easy piece of business for many of them, especially those who are having financial difficulties. Obtaining this kind of insurance is simply going to be impossible for them. So to rely on that as a fallback position with respect to the concerns being expressed about the legislation just does not hold water upon close examination.

The biggest change to the concept of making directors liable for owed wages is the fact that the mere filing of a claim against an employer by an employee makes the employee eligible for up to \$5,000 in compensation from the fund. The program administrator then subrogates the rights of the employee and carries on the suit against the employer and directors and officers of the company on the employee's behalf.

Mr Speaker—Madam Speaker, I am sorry. I have to keep looking.

Hon Mrs Grier: Look once and you'll figure it out.

Mr Runciman: Is that right? Thank you.

I am telling members that we are simply going to have to give those folks an even harder time in the House in question period. They are getting so nasty with the warm weather approaching.

Interjections.

Mr Runciman: Just don't get me worked up.

Interjection.

Mr Runciman: No, I am trying to be a changed person.

The Acting Speaker: Order, please. Please continue.

Mr Runciman: There is no provision in the legislation to cover the increased administrative cost to the employment standards branch for pursuing claims on behalf of employees. The model envisioned by the federal government has a 10% deductible to cover these costs, but this government is not making those kinds of provisions available.

We talked a bit about the expansion of liability to officers, which is subsection 40r(1). The Ontario Business Corporations Act makes only the directors of corporations liable for wages. Bill 70 also makes the officers liable. In addition, it greatly expands the definition of both "officer" and "director." The bill's definition of "director" includes a shareholder who, as a party to a unanimous shareholders' agreement, has the rights, powers, duties and liabilities of a director."

We have heard a lot of comments from Gary Luftspring, the head of Goodman and Carr's litigation division. He is again quoted in the *Financial Post* this morning saying, "It's not clear as to whether this will include a situation where only part of the rights and duties of a director are undertaken pursuant to the unanimous shareholders' agreement." Also, the bill defines "officer" as anyone "who performs functions for the corporation similar to those normally performed by a person who is designated an officer." The definition also specifically includes anyone performing those functions for an unincorporated employer.

This vague definition opens the door for numerous interpretations. Mr Luftspring believes it may include lawyers acting as secretaries at meetings, accountants acting as financial advisers, and consultants effectively acting as members of senior management. An Osler, Hoskin and Harcourt report asserts that the receivers and lenders appointed as agents of the company could be interpreted to be liable under the legislation. These potential interpretations

aside, the whole premise of making officers liable is also questionable.

Fred Holmes of William M. Mercer Ltd, a consulting firm used on a significant basis by the Ministry of Financial Institutions, believes that the bill will put responsibility on the shoulders of people who essentially have little control over a firm's fortunes. He gives the example of a corporation with 75 vice-presidents, where only a handful of these may have actual day-to-day control over the financial situation of the firm. Making all of these people liable is simply unfair. They are being held responsible for situations out of their control. Directors, being the fiduciary trustees of the shareholders, are the ones who should be held liable in the case of mismanagement.

1650

Furthermore, a gentleman from Chubb Insurance has pointed out that officers of the company are also employees of the corporation, who will have outstanding wages in the event of the firm's bankruptcy. Past claims under section 131 of the Ontario Business Corporations Act have included cases where officers have been the plaintiffs. Bill 70 will put officers in a position where they could be suing themselves for their own unpaid wages. This, again, is an example of how the legislation was just not thought through by the Ministry of Labour.

Perhaps I should not say the Ministry of Labour. I think it is probably more accurate to say the minister's office and the minister's advisers. When they made this commitment and speedily drafted this legislation, I am not sure what kind of consultative process took place within the ministry, but obviously it was not adequate. We hear stories where certainly people within the ministry have extreme difficulty getting to the minister to provide advice and getting through the lackeys who now populate the minister's office, the NDP faithful over the years who are now getting their just rewards at the political trough.

Mr Ferguson: You had been at the trough so long you didn't even have time to oink.

Mr Runciman: We are going to be back there, too, very soon. Just three more years. The problem is, the damage may be irrevocable. That is my concern, and certainly the concern of many Ontarians in respect to having to deal with this kind of government for the next three years in this province. They may even drag it out for an extra year. This is a government that expresses concern while at the same time giving a 6% increase to the public service in this province while we are having hundreds of thousands of manufacturing jobs being lost.

One of the problems, of course, is that what we are going to see in a growing basis in this province in what they describe in Europe as the Swedish sickness, where we have about 25% of the workers in industry on sick leave in Sweden. Of course, that is the ultimate experience in social democracy, which has failed miserably. We saw it happen with the Labour Party in Great Britain as well—a miserable, miserable failure. The Premier seems to want to take us back to those sad, sad times in Great Britain with some of the policies and initiatives of his government and his ministers.

I want to assure members that this party is certainly going to do all it can within its power, with only 20 members, to do whatever it can to ensure that the damage done by this socialist government over the next three years is not irrevocable; that indeed when the Progressive Conservatives assume office once again we will be able to turn things around in relatively short order.

I want to put a few more matters on the record before I give up the floor. I want to talk about the joint and several liability and lack of contribution clause. That is subsection 40s(1). That section makes directors and officers jointly and severally liable for wages in certain prescribed circumstances. This means that the employees or the program administrator with the employees' subrogated rights may sue any of the directors or officers for the full amount of the liability owing to the employees. Presumably, then, the employees will sue the directors or officers with the greatest personal worth in order to make sure they get all the money owing.

That is not unusual. The Ontario Business Corporations Act, again, makes directors jointly and severally liable. However, that act also contains a separate clause stating that a director who has satisfied a claim under this section is entitled to a contribution from other directors who were liable for the claim. This allows the director who was successfully sued to turn around and sue the remaining directors to pay their fair share or contribution of the claim. The process facilitates the employees' suit and puts the onus on the director to seek contribution. However, Bill 70 contains no such clause, and the gentleman whom I quoted earlier, Mr Luftspring, has pointed out that there may be common-law rights to contribution, but this is also something that will have to be considered.

We have concerns with respect to subsection 40s(2), that the claim against the employer need not be exhausted first, and one of the efforts of this particular section says that "proceedings against the employer under this act do not have to be exhausted before proceedings may be commenced to collect wages from other directors, under this part." The potential for this clause is to allow an order to be made against the personal assets of a company director, while the corporation may still have funds to be retrieved. In contrast, the Manitoba wage payment fund is accessed only as a last resort, and only after all reasonable efforts to recover wages have been made.

Another area of concern with respect to the resignation of directors or officers has been talked about by a great many commentators and had scathing attack after scathing attack in respect to the claw-back clause of this legislation, which makes directors and officers liable for wages even if the bankruptcy occurs up to a year after having left their jobs. Again, this is something that obviously has not been very well-thought-out by the minister and his socialist cronies in the minister's office. The clause states that a person who has ceased to be a director or officer within one year of the employer becoming insolvent "remains liable under the order, if any, under this act."

The firm of Lang Michener commented on this section. They expressed concern about the word "remains" and indicated that that suggested liability somehow existed

before the triggering events. They have described that as an illogical premise, and we share that view. This is more evidence of the inexperience of whoever wrote this legislation, a very clear indication. Obviously, changes to this kind of ambiguous wording are very much necessary.

The wording of the section aside, we want to express our concern and point out that the concept of making directors and officers liable for one year after their resignation creates a number of rather absurd situations. For example, when a company is sold through a purchase of shares, the prior directors will be liable for actions of the new directors for up to one year after the sale. Similarly, directors who are not happy with the way the company is being run may offer their views at a board meeting but be outvoted. So if the protesting directors then resign, they will be still be liable one year later for actions of the remaining directors that they warned about before their resignation. The effect of this clause is to render responsible people who may not have any control over the management of a firm's finances. The concept of a responsible person may be a better way of dealing with the problem of directors than officers' resignations. Again, under the Business Corporations Act a director is not liable unless the corporation has been sued within six months after the wages are due and the corporation is unable to satisfy the client.

1700

We have had concerns expressed about non-profit and charitable organizations. The minister has indicated he is going to look at that particular element of the legislation, although he has certainly not given an undertaking to change that particularly offensive area of the legislation, simply to review it. Obviously we and many others in Ontario would like to have something a little stronger in terms of the commitment to change than simply an indication in the House that he is prepared to look at it.

Interjection.

Mr Runciman: On a point of order, Madam Speaker: I have an individual interjecting on a frequent basis who is not in his own seat, I believe. I could be wrong, but I am drawing that to your attention. If the member for Scarborough Centre wants to interject, I would encourage you to suggest that he do so from his seat, if he can find it.

An hon member: What about those gentlemen behind you?

Mr Runciman: They are not interjecting, they are making positive contributions.

I want to spend a little bit more time on the question of liability insurance, because certainly this has been a strong emphasis on the part of the government and the minister and members who have spoken in support of this legislation. That is the matter of the availability of liability insurance and the assumption that it is readily available.

In the announcement of the bill on first reading, the minister said he would give directors and officers a three-month grace period from the effective date of the legislation to obtain liability insurance if they had to. The minister seemed to be implying that directors and officers might easily obtain insurance to protect themselves against

the possibility of the bankruptcy of their firm. However, a look at the market for directors' and officers' liability insurance tells a very different story.

Currently there are only two firms offering this kind of insurance in Ontario, serving only a minute percentage of all corporations in Ontario, never mind partnerships or proprietorships. The prime aim of this type of insurance is to insure directors and officers against liabilities arising out of the normal, everyday operations of the firm, but they currently cover liabilities under section 131 of the Ontario Business Corporations Act. The prime factor in determining the willingness of an insurance company to underwrite the directors and officers of a corporation is the firm's financial stability.

I mentioned the Chubb Insurance comment earlier. It is one of the firms that offers this kind of insurance. The gentleman said quite simply, and I think it really hit the nail on the head, "We don't take on burning buildings." You can understand that, Madam Speaker, when I said that they are certainly going to go in and take a look at the financial viability of the firm before they provide this kind of insurance. If indeed the firm is not on sound financial footing, is having some difficulty and some question about its ability to survive, what are the chances of its obtaining this kind of insurance? Virtually nil. Again, the minister's point that this kind of insurance is going to be readily available simply does not hold up in the cold light of day.

It is obvious that the firms most in need of insurance against claims under Bill 70 will be those whose financial situations are unstable. These firms will undoubtedly either find insurance companies unwilling to underwrite the risks associated with Bill 70's liabilities or the premiums will simply be prohibitive.

The other firm offering this kind of insurance, Encon, indicates its existing policies will continue to be covered under the original policies. However, this is simply because the financial situations were stable enough to warrant the coverage in the first place, and they are unlikely to go bankrupt in any event. So the current directors and officers who stand to receive claims against them as a result of Bill 70 will most likely not be able to obtain insurance to protect themselves.

I have just very quickly tried to put a number of the concerns of my party on the record. Certainly other speakers and our Labour critic later on in this debate will elaborate on many of those points in detail. I simply want to reiterate our concern about this initiative.

I think it is an indication of problems within this government. I am not sure whether it is a lack of experience. I know we have seen some columnists speculating on the fact that the NDP came to power in September-October 1990 and did not have the resources in terms of trained personnel that the Liberal Party could draw upon in 1985, when it was able to draw on experienced people from the former federal Liberal government.

What we have seen is a situation where perhaps a lot of cabinet ministers have got themselves into difficulties, perhaps because of a lack of staff expertise. There is another matter, and it is a very real concern of mine. I think there is a very serious suspicion within the ranks of the NDP,

within the executive council, about the objectivity and neutrality of the civil service and the significant players in the civil service, senior civil servants. I think it verges on paranoia.

Mr White: On a point of order, Madam Speaker: The member's oration on the trials and tribulations of the government, which I am sure he can remember himself from years gone by, are all very interesting. However, I think we are much more interested in hearing his discourse on Bill 70.

The Acting Speaker: That is not a point of order.

Mr Runciman: I do not object to the interjection. I think what I am saying is indeed relevant to Bill 70, because I am indicating to the government that this is such a terribly drafted piece of legislation. We have seen commentator after commentator comment on how flawed this legislation is. I think it is a reflection of the fact that the government simply does not have the staff resources.

The second element of this in respect of legislation coming from this government is the fact that it simply does not trust senior civil servants. It thinks that many of them are out to get it and it is not prepared to listen to their advice. I would suggest, having been in government and having been in cabinet and had two portfolios—for a brief period of time, I grant members—

Hon Mr Cooke: How long?

Mr Runciman: Six months. Sure, six months, as long as the member for Welland-Thorold. In any event, I also served on Management Board of Cabinet and had some exposure, certainly even as a government backbencher, to the senior civil service in this province, and under the Liberal government as well. I think the government's suspicions and lack of trust are not going to serve it well, and they are certainly not going to serve the people of the province well. I think that is very clearly indicated by this kind of legislation.

I think we are going to be faced with, and this supposedly responsible government is going to be faced with, ongoing problems of this nature simply because it does not trust the bureaucrats. It does not trust their opinions, it does not trust their views, it is not going to take their advice. It is going to take the advice and heed the advice of some ideologues who have stuck with the government party for many years with the dream of obtaining power and putting into place measures which, in a real world, simply will not work. That is a clear indication in respect with this legislation that we have before us today.

1710

I think this kind of legislation, as well as many other measures being undertaken, is starting to sound alarm bells within the business community in the province. They are not going to sit back as they did during the Liberal years when we saw all sorts of initiatives undertaken which did damage to the business fabric in this province and started the move towards losing jobs in the manufacturing sector and moving more and more people out of this province. They sat back for the most part and lived with it.

I want to say I do not think they are going to sit back now. I certainly hope they do not. I hope they continue to play an active role and get much more actively involved in

ensuring that the people of the province understand the full implications of having a socialist government, a government which is directed in many instances by ideologues, people who felt very comfortable in the Waffle faction of the NDP a number of years ago.

Hon Mrs Grier: You mean there are no ideologues on the right?

Mr Runciman: None whatsoever.

Hon Mrs Grier: You don't think you're an ideologue? It's just the ideology is different, my friend.

Mr Runciman: Sorry to wake up the Minister of the Environment.

In any event, I have put my concerns on the record. We are going to fight this bill very vigorously. I am sure we are going to hear as the debate goes on that we are doing wrong to the people who will benefit from this bill. I do not think we are.

We have to take a look at the overall impact of this legislation, its implications for all kinds of people in society, its implications for business and industry, the people who create jobs. If indeed those impacts are not going to be favourable, are not going to be positive, are not going to have the kinds of impacts we would wish to see as legislators, we simply are not going to succumb. We are not going to give in to the kind of intimidation effort that the government appears to be willing to try and foist upon us.

Mr Mills: I have only two minutes to respond, I believe—I wish that I had at least 20, possibly 40—to some of the rhetoric I have heard here this afternoon about Bill 70. It is absolutely amazing to hear these comments.

I am going to take up one comment the member for Leeds-Grenville made about the queue of people with green cards who are waiting to go to the United States. I have never heard such rubbish in my life. I have many friends in the United States who would give their right arm to be in Canada, to be in Ontario.

I think every person from the United States we speak to knows of or has a relative whose life has been decimated by illness and the inability of a health scheme. That is just one thing I am focusing on. For the member to stand there and say people are queuing up to go to the United States, to get a green card is absolutely ridiculous and it does not deserve any more comment.

In so far as the insurance companies are concerned, it is my understanding that there are at least 10 companies in Ontario willing to insure directors of companies. The premiums, contrary to what the member for Leeds-Grenville says, are quite inexpensive and, above all, they are tax-deductible. So I dispel that rumour that this draconian Bill 70 would make insurance absolutely impossible to obtain.

I would like to talk during the last 19 seconds I have of the human tragedy in my own riding where companies close up, where ladies of 50 to 60 with no money come to me for help and the same company shifts up the street, relocates and opens under another name. That is why I am so proud to stand here and support this legislation.

Mr Ruprecht: Unlike the member for Durham East, I found the comments by the member for Leeds-Grenville

quite interesting, especially when he says he finds that this piece of legislation the most threatening he has seen. That should wake up not only members of this House, but all the people of Ontario.

I would very much like to ask him whether he would be able to expand later on on the Manitoba option, which is another way to make some changes and amendments to this particular bill. I think we would be very interested in hearing from him further.

What I would like to respond to really is the government's idea on this Bill 70. Who in its ranks could possibly think of this kind of legislation? Who among them would sit down and figure this out that it would cost the Ontario economy, that it would cost the people of Ontario, that it would destroy, I think, in the future many of the possible jobs that we may be able to get from other countries? Who is this person? Is it the Minister of Labour, is it the whole caucus or is it just one or two people who think of these things that would be tremendous in terms of the effects they would have on the reconstruction of this province? I wish I had more time, but we would like to know who made this proposal.

Hon Mr Charlton: I would like to take just a few moments to comment on the speech by the member for Leeds-Grenville.

The member suggests, as do many who have spoken so far, that to name the directors and officers as the responsible parties in this legislation goes far too far. Unfortunately, the member for Leeds-Grenville does not tell the House the other side of the story. The corporate sector in this province would prefer to say that no individual is responsible and that no individual should be liable. If the corporate sector in Ontario is prepared to come before the committee and tell us how it would like us to define the responsible and liable parties for the irresponsible actions that have been taken that have caused workers to go unpaid, then we are prepared to deal with amendments to ensure those are the people who become liable.

As I have said, the corporate sector would prefer to see nobody responsible for those irresponsible acts. I remind members that this piece of legislation will see nobody liable so long as no corporation calls people to come to work and asks them to work for a week or two weeks or three weeks when it does not have the ability to pay them. When corporations in this province act responsibly they will not have any liability under the employee wage protection program. This is a piece of legislation to deal with the irresponsible acts of employers and corporations in Ontario that have not lived up to the legitimate expectations in this province.

Mr O'Connor: Today I would like to rise and respond and encourage the members opposite to support Bill 70 to amend the Employment Standards Act. Coming from a labour background as I do, I am pleased to see that our government is undertaking the wage protection program to help the laid-off workers for the wages that are rightfully theirs.

I want to remind the last speaker that all the workers who are not organized are the ones we are trying to protect

because there is some protection for some of them who are organized. Our experience, the experience that he said we lack, we share with the workers who have lost jobs, the ones who have suffered because they have not had their separation pay, have not received their holiday pay and have not received the last paycheque that was owed to them. These are the workers whom we want to support, this is what the legislation is directed to and that is where our experience comes from. These workers have earned these wages—the vacation, severance and termination pay. In business failures they never receive a penny.

The previous speaker spoke about ideologies. I want to say he is right. Their ideologies as well on that side of the floor are very far removed from all the working people of this province and the people who are going to suffer if this is not in place. So it is there for the right reasons.

The last speaker should have a little correction, because this is not aimed at penalizing the employers, but it is aimed at helping the thousands who are going to lose their jobs as a result of a recession as we continue.

I hope the member shares some of these concerns, because some of the concerns he has raised, yes, we have shared as well, and I am glad it will be going to committee, where it will be fully debated and everybody who has any impact on it will have a chance to have some input, the employers as well as the employees. I think that is an opportunity that everyone should come to support it.

1720

The Acting Speaker: The member for Leeds-Grenville has two minutes to wind up.

Mr Runciman: I appreciate the contributions of the other members. I want to say that I was concerned by the Minister of Financial Institutions' comments tarring everyone in the corporate sector with the same brush and suggesting the corporate sector does not want anyone responsible.

I want to say that there are a lot of good corporations in this province, a lot of people who are truly committed to this province and truly committed to this country and are creating jobs out there, and we have the Minister of Financial Institutions, a member of the executive council, who has to deal as part of his responsibilities with many of these corporations; having that kind of attitude. What message does that send out to the corporate sector in this province? A pretty scary one, I would suggest.

The minister and this government seem to adopt the approach that anyone going out of business in this province, anyone going bankrupt, has some sort of sinister motive, that they are out to do their employees dirt. I want to say that many of them are risk-takers. They are entrepreneurs who have taken a chance and are in positions where they certainly in many instances do not want to do dirt to employees and have found themselves in very difficult situations.

As I expressed earlier, my major concern and the concern of my party is this legislation, how badly flawed it is, how badly worded it is and its implications for many people in this province other than people who are out of work. It has implications which are severe and are going to have

the impact of further eroding the attractiveness of Ontario as a place in which to do business.

Ms S. Murdock: I am actually very pleased today to speak to Bill 70, mostly because I have had a lot of input in working on it. The implication has been made that this was done solely by the minister's staff. I would like to point out that I have been working very steadily with bureaucrats whose judgement I respect and who have worked long and hard hours to put this together.

There are basically so far only two areas that I have been hearing people complain about, and those are section 47 and section 40. On those two sections, I would like to clarify a couple of points.

In terms of the increased cost to the Employment Standards Act, clause 47(1)(c) applies to where the appeal is filed. The member opposite mentioned that he wished that something would be done in Ontario similar to the federal legislation whereby a 10% fund would be allotted, or a 10% application. I would point out that in the amendment under that section of the act the only change to the whole thing under clause 47(1)(c) is that instead of the words "penalty of 10%" being used under the old Employment Standards Act, the amendment recommends administration costs of 10%, and other than that there is no change. So I would suggest that the member for Leeds-Grenville has got his wish, even though we have not even taken this to committee yet.

I would also point out too that on subsections 40f(1) and (2), which have been mentioned so far by both opposition parties, the minister has made it quite clear both in his answers in question period as well as the comments he made today that this is wide open. We are certainly open to suggestion. We still have to go to standing committee and of course then it will be the standing committee that decides exactly how we are going to be doing things and whether there will be public hearings or otherwise.

I would like those things clarified before I begin as to why I am supporting Bill 70.

Many of us in this House, on all sides of the House, know of a person who is owed money for termination, severance, vacation time, simply because the company that he or she worked for went out of business or it moved or for whatever reason had to close down. Too often, the families are left with nothing when the company and the job are gone. At least with the money they are owed, there can be a period where new work can be found and money, then, is not one of the worries they have to be concerned about.

To say that I support Bill 70, introduced by this Ministry of Labour, is an understatement. Workers and their families in this province deserve this money—again, and I am going to repeat it 1,000 times—which was earned money. Bill 70 is a measure intended to protect the money that workers have earned, money that is rightfully theirs. It is not a gift. It is certainly not welfare, and this bill is intended to set up an administrative recourse for workers to obtain money that is legally theirs.

It covers wages and it covers vacation pay. It covers termination and it covers severance pay, money that is given in lieu of notice or of layoff or of termination and as

a return on the investment that the worker has put into that company's wellbeing.

Right now, an employee has recourse through employment standards, but the process is long and it only pays the wages earned if the company is solvent and still in existence in this province.

Once this bill gets through the House and gets through committee and gets through third reading, workers, in order to obtain their money within a two-year limitation period, will have to make a formal application to the employment standards branch of the Ministry of Labour. The branch will then investigate the claim, and if the claim is valid an order to pay will be issued. That is only in the situations where the companies have not already done that, because in many instances, the companies are good employers. But there are some instances where you just do not have that kind of relationship and they have to get it.

When the order to pay is not obeyed, this program, funded by the consolidated revenue fund, will pay out money up to \$5,000. Many employers, as I have said, promptly obey an order. However, an employer might not pay due to insolvency or may not comply for whatever other reason, and qualified workers who are eligible will then receive wages and vacation pay owing, along with the statutory severance and termination pay already paid out, as I said, up to \$5,000 for each qualified worker.

That is, not to say that we will be paying \$5,000 for every worker. For instance, you may have a situation whereby an employee would only be owed \$3,000. If the company cannot pay it or is unable to pay it or cannot be located to pay it, then the worker will get \$3,000 out of the consolidated revenue fund. If the employee is owed \$10,000, then he or she will still only get up to \$5,000 under the consolidated plan.

The thing is that they will at least have some of the money they are owed, and \$5,000 will not be enough to fully cover all the wages owing to all workers, but given the current economic situation and the strain that is being put on the Treasury, we have to set a limit and the limit we selected was \$5,000. We feel this limit will cover the majority of workers and it does provide some measure of security. It is better than what they get now.

What is important as well is the quicker appeal procedures, and no one has really mentioned that in any of the speeches I have heard today. The quicker appeal procedures are extremely important, because part of the problem within the whole process that we presently have is that it is very encumbered by time and things are backlogged. We have to speed things up, so we are not only speeding it up for the workers, but we are also speeding it up for the employers.

If an order is disputed, an appeal must be heard within 45 days, and this is the part I think is extremely important. If only a portion of the order is disputed, only the disputed part will go through the appeal system, so that whatever money is not in dispute by the company will be paid and only the disputed area will be appealed. That alone should speed things up and make resolutions much more quickly, forgetting the fact that we put a 45-day limit on it.

1730

When all the parties agree upon the amount, the question—say that they are owed for wages earned but the question is only for vacation pay—the worker and the family do not have to wait around for the whole amount until a decision is made. They are able to use that money right away.

Bill 70 will go a long way to establish a fair employment situation in Ontario by removing the uncertainty that employees may feel about the security of their wages. We are helping to create an atmosphere where workers can be confident that they will get the money they have worked for.

We have estimated that this legislation will probably assist about 56,000 workers in this province over the next 18 months. Hopefully by the end of that period of time we will not have to use it as frequently. But right this minute as we speak, there are approximately 13,000 people eligible now and waiting.

We have had to wait for a whole ream of reasons in the last three weeks with the third party getting through all of the game playing that we have been going on with, but the thing is now we have a chance to pay 13,000 people the money they are owed and due. I think and I appreciate and I encourage all the members of this House to support Bill 70, give their support for a speedy passage through this House, let us get on with it and pay these people the money they are owed.

Mr Offer: I have a short comment on the parliamentary assistant's speech. I do not think she can in fairness comment on the length of the debate on this piece of legislation, which is finally before the Legislature, because it was her government that introduced the principle in October and did not act until April.

The Premier stated in October that he was going to bring forward a wage protection fund. October passed—and I stated this earlier—October to November to December to January, February and March and then finally it came in April. So I do not think it is proper for her to comment on us on this side taking all of three hours so far to debate this very important piece of legislation and address some very important concerns when the government could not bring forward the legislation in six months in the midst of the worst recession that this province has ever experienced, when thousands of jobs have been lost. I think that it is very right and proper that we take the time in this Legislature to deal with the legislation, to bring forward the concerns not only of the management but of many individuals.

This is not a piece of legislation where one should be divided into camps of employees on one side and management on the other. That is not what this legislation is all about. There are concerns about the legislation from people who do not want to be referred to in either one of those camps. There are people in the community, people who have given a great deal of their time to non-profit charitable organizations, who have asked the government to deal with some of their concerns, who have been rejected, who have shared with us on this side their concerns. We are bringing them forward in the Legislature, we are going to

continue to bring them forward and we are asking the Minister of Labour to stand up and say that there will be public hearings and that those concerns will be addressed.

Mr Silipo: I am happy to have the opportunity to comment briefly on some of the things raised by the member for Sudbury in her presentation.

I for one certainly have no quibble with the time it is taking us to debate this issue. I for one am glad we are finally debating something of substance in this Legislature. With a piece of legislation as important as this I am happy that we are able to have some debate here and look forward to the debate continuing beyond second reading and into the committee and indeed into the hearings, because I heard the Minister of Labour say very clearly that he has always presumed and always assumed that in fact this bill would be going to committee and in the committee there would be hearings because that is the normal process around here. I think that is certainly something that all of us on this side and indeed around the various sides of the Legislature would support.

The other concern that clearly has been raised is the question of personal liability of directors. Again, I certainly heard the minister say very clearly that that was an area that he was quite concerned with as well and that he was prepared and indeed was looking at that. What I assume from that is that we will probably be seeing some amendments that might come forward as the process develops.

I think the basic line and the basic point to be made is the one I have heard people agree to on all sides of the House, which is that this bill ensures that people who have worked and earned certain wages and other moneys will be able to get paid for that amount of money. That is the important principle in the bill, and certainly I am glad to see that that is something that we all support.

Mr Hope: To my fellow colleague who is the parliamentary assistant for the Ministry of Labour, I would just like to make a few general comments. I appreciate the effort and the concerns in the short time period that she had to put this legislation together, as we hear contradiction of how many months it took for this legislation. As we refer to the opposition, who get mad at us when we announce programs outside of this House, we had to wait for the House to be sitting. When we sit in November and December and return in March and introduce it in May, that sounds like a very timely manner, as most people have waited for the last five years to receive compensation for being victimized. Workers were actually being victimized the last five years while waiting for some type of protection of this nature.

It only took this government approximately 10 weeks to get it into this House, because we can only introduce legislation in the House. I think on my behalf—and I know the people of my riding who are going to be recipients of this program are very appreciative—that this government has moved in a speedy time to make sure this legislation is very effective. I know the parliamentary assistant consulted with a number of groups and I know the effort behind the private sector, the unions, the non-unions and

the groups that are out there played an important role in putting this legislation together.

As a labour leader in my previous life, reading legislation from other governments and knowing all the miswording that took place and all the misinterpretation—you did not know whether it was white or black—it is very clear legislation to me. I think the workers of this province are going to be very appreciative of this legislation coming forward and adding some type of protection for the people of this province. I just want to thank her for her efforts.

The Deputy Speaker: Further questions or comments. If not, the member for Sudbury, you have two minutes to reply.

Ms S. Murdock: Mr Speaker, I do not plan on using the full two minutes but I definitely want to respond to the comments made by the member for Mississauga North because it is appalling to me that he would even suggest that we have delayed bringing this forth. Admittedly, on 1 October when we formed the government of this province officially and got sworn in, we did in the throne speech on 18 or 19 November, I believe, say we were bringing this forward.

We also said we were bringing a number of other initiatives forward. We sat until 20 December, as everyone knows—but for the benefit of the people in the public out there who happen to be listening to this, that was all of five weeks—most of which was spent on Bill 4, a moratorium on rent review. We then came back in March—and we have only been in the House—we introduced this in April. So to imply—well not even imply—to state baldly that we have been dragging our heels and not caring about the workers of this province or about this legislation in particular is absolute nonsense. I find it offensive, but I guess everything is allowed in this House, and I just want to make sure that the member clearly understands and it is on the record that we brought this in as soon as it was possible.

1740

Mr McClelland: Mr Speaker, I thank you for the opportunity, and thank my colleagues for the opportunity, to join this debate, which I consider to be one of the more important debates we have had in this House in some time. I want to say at the outset that I think the basic principle in the remedy that is sought, as enunciated not only by the minister's statements early in October in the throne speech but also in the explanatory notes as set out in the legislation itself, is laudable.

Having said that, in my view there are some very grave concerns. I want to say candidly at the outset of my comments that I would like nothing better than to have a piece of legislation which I felt I could stand in my place and support, that seeks to address the issue before us with respect to wages owing to employees. Indeed, historically it has been a foundation of law that goes back thousands of years. Some of the earliest law recorded by organized civilizations speaks to the issue of wages due for work done.

There is a very clear responsibility set out in books that various faiths refer to as their holy books, with that issue or that particular principle. I think it is a principle that is well founded. It is a principle that is significant in terms of

societies that seek to work in an atmosphere that recognizes the weak or the poor or those who in many cases are less empowered than employers, given the economies and the complexity of the corporate structure—if I use this word, it is not in a disparaging sense in any way—but the average simple worker. I do not mean “simple” in a disparaging sense, but a person who is working with his or her hands, or whatever the work might be. Certainly there is a principle that is literally thousands of years old and has been embodied in law for generations in other civilizations.

In my view, this legislation is of such. It has some flaws in it and some grave concerns that I see which will not enable me to support it in its present form.

The minister has gone on the record and said that he will allow this legislation and indeed has indicated that it will be referred to committee. I think the issue and the salient point here is that in our party we are looking for a commitment that this legislation go to public hearings. My friend the member for Chatham-Kent has said that he understands and believes there has been wide consultation. Indeed, he has worked in the past looking at legislation.

Without calling into question his character in any way, I would simply say that it stretches credibility and that it is the height of naïveté to suggest that the business community, the non-profit and the charitable sectors of our province, have been consulted on this legislation. Given the myriad of concerns that have been raised surrounding this bill, it is clear that they have not been consulted, that they have not been given an opportunity, or if in fact they have been consulted their concerns have not been embodied in this legislation whatsoever.

The member for Leeds-Grenville made some comments that I think bear repeating. I am pleased that the Minister of Financial Institutions is here at this time, as I think it only courtesy to direct comments to an individual when he or she is present in the House. The Minister of Financial Institutions made a comment that I think tells much and says much about the philosophy that underlies, the thread that runs throughout this legislation.

I do not think he really believes this in the absolute sense, because I know him to be a reasonable man and have had the privilege and opportunity of working with him over a number of years. But I think it embodies the concept that is seen very much by the government of the day that somehow the corporations and/or the business community are the bad ones in any scenario. It presumes that when companies go sour, as they will, when oft-times men and women who run businesses in good faith lose their life savings and oft-times their homes, there is some sense of malfeasance on their part, and that those individuals who are running the corporations have somehow sought unjustly to squeeze money away from the people who are properly employed by them.

The Minister of Financial Institutions indicated that great injustice is brought on people who lose their wages by these terrible corporate executives, directors and officers who are out to squeeze these people. I want to say very plainly that there are, and always will be, incidents where directors and people in power and authority may act inappropriately. I do not think that is the general case. I

believe with all my heart that is the exception. I believe in the higher principles of individuals.

Interjection.

Mr McClelland: But sometimes, I say to my friend the member for Chatham-Kent who laughed as he said I do not have to worry about this, there are thousands of people who put their life savings or their family's life savings on the line. They put their best efforts into running businesses and through no fault of their own, for a variety of reasons, sometimes bad luck, bad management, a combination of many things or as a result of being in a chain of organizations, lose their businesses.

Interjections.

Mr McClelland: He says, "Well, those companies don't have to worry." I think there is something else we have to bear in mind. The member for Dovercourt would certainly understand this, given his background, and our friend the member for Chatham-Kent espouses understanding knowledge of the way the business sector works. We have to bear in mind that as companies set themselves up, they operate on certain structures and certain premises. The premise is that they are going to put investment on the line and then try to turn a profit, and ultimately that profit is distributed throughout the economy. It generates jobs. It creates jobs.

I ask members to consider this question very carefully: In attempting to set out legislation they feel may help people, will they ultimately do them much more harm? Would they rather have people out of work altogether, or perhaps have the potential for job creation, where people will be actively participating in the community and doing what gives them a value of wellbeing and a sense of worth by giving of themselves and their abilities, receiving remuneration for that, and in contributing to the overall economy?

I suggest that if members consider some of the implications of this legislation, ultimately they will be doing a lot more harm to the working men and women of this province than they are helping. As I said at the outset, I have no difficulty with the principle of trying to ensure that wages are paid, but I believe this legislation, in attempting to do that, will not only cost jobs now, but will cost future jobs.

Interjection.

Mr McClelland: The member for Chatham-Kent shakes his head. He sits there and espouses by interjection that he understands the way the business world runs. I think his attitude right now belies that fact. It is clear that he does not really understand what is happening there.

I want to touch base on some of the specifics of the language of the legislation. It has already been referred to, so I will not debate it at length. As I proceed to some of my comments, I want to look at this from two perspectives. First of all, I want to look to the business community. I think that is primarily the target, if you will, of this legislation. I believe it was embodied—and the parliamentary assistant is nodding in agreement—that the thrust of the legislation was to provide primarily for the business community. I am going to touch on that and in the second

part of my comments, I want to talk on the volunteer, non-profit charitable sector in our province as well.

Some of the things I will touch on with respect to the specific language of the legislation, with respect to business and the corporate community, the corporate sector, will apply as well to the non-profit and volunteer agencies, the charitable organizations.

Clause 40r(b) has been made reference to by the member for Leeds-Grenville, I believe. It reads, "any person who performs functions with an employer that is not a corporation similar to those performed by a person described in clause (a)." It is an expansive definition of the word "officer." In so doing it expands the scope of who would be liable in a situation where a company was insolvent or went bankrupt without sufficient resources to pay wages due and the severance and so forth that this legislation sets out to cover.

There are a lot of businesses in trouble. A lot of businesses are cyclical in nature, both in terms of years, a year operating, and also in terms of the general economy. When a company is in trouble, from time to time it asks for outside resources to help. A lot of companies get that. They are able to turn the corner and end up being profitable and men and women maintain their jobs. Communities maintain their vitality.

If members think carefully about what is being said here, it is that if a company seeks outside consultation, outside help, whether it be professional counsel in the legal field, as the parliamentary assistant with Labour or the member for Dovercourt may have been prepared to provide to a corporation in a previous life, perhaps an accountant, or perhaps some labour expertise to come in and resolve some difficulties and work through some difficulties with management and labour, those individuals, according to this definition, are potentially liable for their wages. The member for Chatham-Kent shakes his head and wants to overrule the legal opinion of very many people much more learned than I and, I suggest with respect, much more learned than he. There is a tremendous body of opinion in the legal community that says the definition as set out in this legislation would be expansive to a point that it would include those people who come in on consultation to try to help companies out of difficulty when in fact they are in trouble.

1750

The minister should stop and think about that for a moment. He should think about that if he has a business in his neighbourhood or in his community, in his riding, that just might make it with a little bit of help. Would he, having the expertise, be prepared to go and help them, knowing that he may be liable if that company does not make it? Would he, if he was one of the best men in the field, be prepared to provide his expertise and assistance, at cost but none the less perhaps at considerable cost, to the company to try and help it out, knowing that if it did not work, he could potentially be held responsible? I think the question basically answers itself. I think there would be tremendous reluctance on the part of many people to proceed under those circumstances to provide that expertise.

I suggest to the minister as well that what he is going to do in so doing is move the threshold of a company going insolvent much closer, to make that fine point, that balance point, much more difficult. If I were operating a company and I thought, if I were a director—let me make it even more remote. If I, in my former law practice, happened to be the secretary of a small operation—which happens from time to time, as many members will know. A person in a profession or an accountant or whoever he or she may be, it may be a member of the family who is not directly involved, but for the sake of convenience for the company provides that service, allows himself to stand in terms of the incorporation of that operation as a secretary or director or officer, as required by the Business Corporations Act to establish that company as an entity unto itself in this province. In so doing, he then exposes himself to liability.

How many people do members think are going to be prepared to continue to do that? What is the government doing? What are the implications for small business in terms of having outsiders provide that very valuable and necessary service so that corporations and businesses can be viable and in fact get off the ground? I ask the government to consider that.

I ask the government to consider the wisdom of what it is doing with the expansive language of clause 40r(b). Does that make sense? Does it make sense to allow people who perform that function or assist in it or those who are directly involved, and directors, even if they have no direct, hands-on management of a company, to be ultimately responsible?

The government should consider that, consider the wisdom of what it is doing in terms of job creation, in terms of investment. I would hope we would have much more domestic investment, but the reality is we also depend on foreign investment, which is already looking with some grave concerns at the viability of investing in the current climate in this province. I say that with respect to the political climate as well as the economic climate.

I think that was embodied very much in the statement we heard from the Minister of Financial Institutions, that sense of an us-and-them scenario, that business and the people who bring money in here are the bad people. I think we have to be very careful about that. I say with respect, and I think maybe I should flesh it out a bit more—

Hon Mr Cooke: That is not what he said.

Mr McClelland: The Minister of Municipal Affairs and Housing says that is not what he said and he is quite right—he did not say that, he said much more than that. He said that those corporations that come in here—

Hon Mr Cooke: Be fair.

Mr McClelland: I am trying to be fair, and that is why I want to be a bit more expansive, because he raised the point, I say to the member for Windsor-Riverside, the minister, that that is not exactly what the Minister of Financial Institutions said. I will in fact, with the minister's indulgence, come back next Thursday or whenever this order is called again, and read into the record for his consideration what the minister actually said. I think the member

will be surprised to find the sense of implied acrimony that was contained in that two-minute dissertation by the Minister of Financial Institutions.

I asked rhetorically what the minister would do if he were put in a position of being asked to serve as a director or working at providing professional help or counsel to a firm that may be in trouble. But the minister should think about if he were a director of a company that, let's just say for the sake of argument, employed half a dozen or 10 people, and he knew he was facing difficult times. He had been through difficult times before. He had seen good times and bad, and he had survived. He is a fighter and a survivor.

He has his home, as is often the case, as part of personal security on the line for the operation of his business. Perhaps some of his family members are directors of the corporation, because they have believed in him and they have invested. His family has put money in. He knows exactly what we are talking about, because he knows that in his community this happens.

Having done that and facing the prospects—

Interjection.

Mr McClelland: The member will bear with me, because I think he will understand where I am going on this. I say to the member for Yorkview that he is getting all excited about where he thinks I am going, and I think he will find that I am going in a different direction on this.

Given a situation where a company is facing difficult times, knowing that in the past you have been able to recover and that you have a bit of a financial cushion right now—some financial cushion—you think you are going to make it. But there are no guarantees in this life. There are certainly no guarantees politically, and I certainly learned that last September. But there are no guarantees in business either. What happens to that person? Members should think about it, put themselves in that situation. You have a bit of a financial cushion.

Mr Mammoliti: What would you do? Abandon your employees?

Mr McClelland: I would not abandon the employees, I say to the member for Yorkview. What I would do is I would make my decision now, say: "I have that cushion. I hope it goes well, but I cannot guarantee it. I am going to cut it now. I am sorry, we are shutting down. We are out of business. We might have hung on for six weeks, and we may have turned the corner, but I cannot run that risk. I cannot put my home, I cannot put my life savings, I cannot put the future security of my children and my spouse on the line with what looks like a good prospect, but there are no guarantees. So I am going to cut it right here and now and pay everybody and close the door. There is no incentive for me to stay in business and try to make it work."

That is reality, and the member had better stop shaking his head and wake up and talk to the people who run the ma-and-pa stores in his constituency.

Interjections.

The Deputy Speaker: Order.

Mr McClelland: Members opposite should talk to the people, walk down the street tomorrow when they have a

break and talk to some of those and understand what they are doing to the private sector.

At the present time the acting government House leader will certainly want to indicate business for next week, and our time is approaching 6 o'clock. I have much more that I would like to comment on with respect to this legislation.

On motion by Mr McClelland, the debate was adjourned.

À la suite d'une motion présentée par M. McClelland, le débat est ajourné.

Hon Mrs Coppen: Pursuant to standing order 27(g), I request that the vote on the motion by the Minister of Labour for second reading of Bill 70, An Act to amend the Employment Standards Act to provide for an Employee Wage Protection Program, be deferred.

The Deputy Speaker: The debate has not ended yet.

Hon Mrs Coppen: I am sorry. I stand corrected.

The Deputy Speaker: We are looking for business statements for Monday.

BUSINESS OF THE HOUSE

Hon Mrs Coppen: I will begin again. I am sorry. Mr Speaker, if I might, I would like to give the details of the business for next week. I apologize for the other.

On Monday 3 June, debate on second reading of Bill 74, An Act respecting the Provision of Advocacy Services to Vulnerable Persons.

On Tuesday 4 June, committee of the whole consideration of Bill 17, An Act to amend the Law related to the Enforcement of Support and Custody Orders.

On Wednesday 5 June, debate on concurrence in estimates of 1990-91 for the Ministry of the Environment; first, second and third reading of the 1990-91 supply bill; debate on the second reading of Bill 81, An Act to authorize borrowing on the credit of the Consolidated Revenue Fund.

On Thursday 6 June, orders of the day: resuming the adjourned debate on the motion for second reading of Bill 70, An Act to amend the Employment Standards Act to provide for an Employee Wage Protection Program and to make certain other amendments.

The Deputy Speaker: There is something over on your sheet also, I understand.

Hon Mrs Coppen: On Thursday 6 June, private members' public business: ballot item 23, second reading of Bill 102, An Act to protect the Economies of the Border Communities of the Cornwall Area; and ballot item 24, second reading of Bill 103, An Act to establish the Rights of Victims of Crime.

The House adjourned at 1800.

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Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines and to the Minister of Northern Development
			Vice-Chair, standing committee on Ontario in Confederation
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Hon Brian A.	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
Churley, Hon Marilyn	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	
Gigantes, Evelyn	Ottawa Centre	NDP	
Grandmaitre, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities

Name of member	Constituency	Party	Other responsibilities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Chair, standing committee on regulations and private bills
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the Whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	Chair, standing committee on resources development
			Parliamentary assistant to the Minister of Energy
Jackson, Cameron	Burlington South	PC	Chair, standing committee on estimates
Jamison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chair of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	Chair, standing committee on resources development
Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Health, Chair of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
Mackenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	Parliamentary assistant to the Minister of the Environment
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the Whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation

Name of member	Constituency	Party	Other responsibilities
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
Rac, Hon Bob	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	Vice-Chair, standing committee on finance and economic affairs
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	S-D-G & East Grenville	PC	Second Deputy Chair of the Committee of the Whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Hon Fred	Frontenac-Addington	NDP	Minister of Government Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	

Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

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Vice-Chair: Dianne Poole

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Clerk: Todd Decker

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Vice-Chair: Daniel Waters

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Clerk: Harold Brown

Social development

Chair: Elinor Caplan

Vice-Chair: Joseph Cordiano

Members: Charles Beer, Christel Haeck, Randy R. Hope, Gary Malkowski, Tony Martin, Lyn McLeod, Stephen Owens, Tony Silipo, Jim Wilson, Elizabeth Witmer
Clerk: Lynn Mellor

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Vice-Chair: Gilles Bisson

Members: Charles Beer, Ernie Eves, Evelyn Gigantes, Charles Harnick, Margaret Harrington, Gary Malkowski, Irene Mathysen, Steven Offer, Yvonne O'Neill, David Winninger
Clerk: Harold Brown

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Parliamentary Precinct

Co-Chair: David Warner

Co-Chair: Noel Duignan

Members: Dianne Cunningham, Remo Mancini, Kimble Sutherland
Clerk: Smirle Forsyth

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Monday 3 June 1991

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le lundi 3 juin 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 3 June 1991

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

EASTERN ONTARIO

Mr Cleary: Under the former government, the Ontario Development Corp was a key player in job creation and regional development. However, it is clear that the decision of the new Minister of Industry, Trade and Technology to eliminate the interest incentives for loans and guarantees to Ontario's businesses will counter this basic goal.

In these exceptionally trying times of high unemployment and a depressed general economy, the extermination of incentives will undoubtedly create undue hardship for businesses and technological entrepreneurs alike who previously relied on this assistance. Specifically, it seems unfathomable that the minister would eliminate interest incentives for Eastern Ontario Development Corp loans and guarantees.

I remind the minister that eastern Ontario does not have alternative support structures available to other parts of the province. In addition, eastern Ontario must compete with Quebec and the northeastern parts of the United States where various incentives already outweigh any advantages eastern Ontario may have had.

Clearly the minister is discouraging small business formation in eastern Ontario. I insist that eastern Ontario be allowed a level playing field. The minister must reinstate the EODC interest-free incentive loans.

TAX INCREASES

Mr Stockwell: Last Thursday and Friday, the Mike Harris task force on the Ontario budget continued its hectic schedule across the province listening to the concerns of citizens of the cities of Ottawa, Cornwall and Kingston and their surrounding regions. We heard a steady flow of witnesses opposed to the concept of raising the provincial deficit to a level which will force future governments to raise taxes and further erode our competitiveness with the neighbouring United States.

Nowhere was the message heard more clearly than in the city of Cornwall where cross-border shopping has become a popular pastime. The Cornwall Chamber of Commerce has recently formed a committee to look into the problem of cross-border shopping. The chair of that committee, Brian Hunt, made a presentation to our task force.

He told us that the phenomenon of same-day return trips to the United States has increased by 87% since 1989 in the Cornwall area. He cites as the major reason for Canadians flocking south the high Canadian gasoline prices buoyed up by 25 cents a litre of tax, a phenomenon which has been exacerbated by gasoline tax increases in this government's budget.

The people of Cornwall recognize that what is needed to help their struggling business is not government grants but a proper business environment.

Our task force has found numerous citizens of this province imploring the politicians to wake up and realize that higher taxes mean diminished competitiveness. I have spoken of only two. I hope that the parliamentary committee on the budget will review the presentations to our task force, which we will make available to it.

ITALIAN NATIONAL DAY

Mr Dadamo: It gives me great pleasure to speak to members of the Legislature today in honour of Italian National Day, the celebration of the referendum on 2 June 1946 which proclaimed Italy a republic. It is celebrated on the first Sunday of June and is a holiday in Italy. Given the importance of Italian heritage within Canada's multiculturalism, it is now customary to celebrate this festivity right here in Canada.

Italians have made a significant contribution to Canada's social, economic and cultural life. Early-arriving Italians contributed through railroad construction, lumber camps and building projects. Italians helped build the transcontinental and urban communications network in Canada.

Today, Italians are a vital part of this country and help to define the multicultural character of Canada. Children of Italian descent are proud Canadians and are present in every aspect of public life—in the sciences, education and business as well as political life, as the members know.

Italians form the fourth-largest ethnic group in Canada, after the British, French and Germans. Sixty per cent of all Italians in Canada live in Ontario, with the greatest concentration here in the Toronto area. Celebrating this holiday is a reaffirmation of the multicultural character of our nation.

I am sure members of the Legislature will join me in congratulating the people of Italy, the President of the Republic, Francesco Cossiga, and of course our consul general, Dr Gianluigi Lajolo. Congratulations and best wishes for a festive celebration on Italian National Day.

TOURETTE SYNDROME AWARENESS MONTH

Mrs Caplan: I am pleased to stand in the House to continue the tradition established by the former member for Brantford, David Neumann, of making members aware that June is Tourette Syndrome Awareness Month. Tourette's is a neurological disorder that is characterized by rapid, involuntary, sudden motor tics and vocalizations. There is no known cure for Tourette's syndrome.

Early and proper diagnosis is critical for the sufferers and their families. However, that depends on a well-informed medical community. A misdiagnosis can lead to wrong treatment and sometimes severe psychological problems. It can also be frustrating for the family which is trying to understand and cope with this disorder.

Considerable research is being done in locating the gene marker for Tourette's to understand how the disorder is transmitted from one generation to another. Researchers are also studying specific groups of brain chemicals to help identify new and improved medications.

While this exciting research is going on, some families are having difficulty getting appropriate services and treatment in the province. It is my hope that this government will further recognize the special medical needs of Tourette's sufferers and provide appropriate services for them here at home in Ontario.

I know the former member for Brantford, David Neumann, would continue this tradition as he has in the past. On behalf of him and others who have great concern for Tourette's syndrome, I rise today to note June is Tourette Syndrome Awareness Month.

1340

NURSING HOMES

Mr Tilson: As we are all aware, the month of June has been designated Senior Citizens' Month, so it is very appropriate that I stand today to inform this House of a very serious and grave problem involving seniors in my riding of Dufferin-Peel and throughout Ontario.

Avalon Care Centre in Orangeville is threatening to close its beds due to the government's ongoing inequitable treatment of nursing home residents in Ontario. Homes for the aged receive 30% more support than privately run nursing homes. It is becoming increasingly difficult for centres such as Avalon to ensure that regulatory standards set by the Ministry of Health are maintained.

In addition to these problems that Avalon seniors are facing, Avalon Care Centre employs 180 full-time and part-time staff, who are all at risk of losing their jobs. In a desperate attempt to deal with the government's funding and equity stance, the Ontario Nursing Home Association and its 188 members recently made a decision to reduce staffing for over 30,000 nursing home residents by 15 October 1991.

This government is aware of this funding bias and has not announced any major long-term care reform initiatives in the nine months it has been in power. I urge the Minister of Health to examine this serious situation immediately. Her ministry's inaction on this issue has already forced 15 nursing homes into bankruptcy in Ontario and is threatening the livelihood of many more such as Avalon.

It is becoming very clear that this grave situation is a result of the government's obvious hidden agenda to abolish the private sector from the long-term care industry. Unfortunately, this narrow-minded approach is ultimately at the expense of the seniors and the long-term care workers of Ontario.

ENVIRONMENT WEEK

Mr Hansen: As members are aware, it is Environment Week in Canada. I would like to inform the House of an event that took place last weekend. It was the commemoration of the boat NIMBI, which means "Now I must become involved," founded by Pat Potter, a constituent of the member for Brant-Haldimand.

On Saturday, I attended the third annual NIMBI celebration in Port Maitland where the ambassador for the Great Lakes, musician Ken Lonquist, entertained environmentalists from across our province with an exciting repertoire. There was a shared excitement about the opportunities to increase awareness on environmental issues and there was also a deep concern over the lack of funding for environmental education.

Despite limited financial support, the NIMBI project has received not only national but international attention. On the weekend, a proposal for NIMBI school ships was presented. This included a boat for each of the Great Lakes to operate as a resource centre and provide an opportunity to schoolchildren throughout the province to learn how to get involved and to make Ontario a more healthy place to live. The work of each of the ships will be co-ordinated by the mother ship, NIMBI.

Many say the environment is a top priority, but until people understand how to make the most appropriate decisions, we will be unable to make real progress. We protect diamonds because we are taught they are valuable. People will protect our Great Lakes watershed when they are taught its value. The health of our lakes affects the wellbeing of those who live near them.

NIMBI has shown that the commitment and dedication of the citizens of the province can make a difference. It is now time for those concerned about the environment to get involved. The greatest environmental problem we face is our collective silence.

Mrs Sullivan: I rise in the House to speak to the celebration of Environment Week. In particular, I want to recognize the hardworking people in volunteer enterprises, organized environmental groups, industry and the government sector who have been making great strides in both increasing our awareness of the environment and finding ways to protect it.

While it is hard to visualize the scale, scope and complexity of the environmental challenges that our earth faces, it is important to have events like Environment Week to mark and underline the ramifications of our lifestyles on the planet.

The environmental challenge will only be dealt with successfully if everyone co-operates to achieve the goal of a healthy and clean environment, a goal which I am sure everyone in this House will strive to achieve.

We will all be aware of the environmental consequences of the decisions we make in this House. We must utilize properly the legislative and regulatory tools which have been developed, such as the environmental assessment process, and we must open our minds to sound and creative approaches to ensure that the mistakes of the past are not compounded and that new errors are not made.

WAGE PROTECTION

Mrs Witmer: The Minister of Labour's recent responses to my questions about the wage protection fund would seem to indicate that there is nothing particularly new in Bill 70. The minister stated on 16 May, "Officers and directors...can be liable now under the Ontario Corporations Act." But the minister will be aware that only

directors are liable under the Ontario Business Corporations Act. By including officers, Bill 70 will make individuals who may not have any direct control over the operation of a company personally liable.

The definition of "wages" has also been expanded. The Ontario Business Corporations Act holds directors liable for six months' wages and 12 months' vacation pay. Bill 70 adds eight weeks of termination pay and 26 weeks of severance pay for companies with more than 50 employees. The liability could be as high as \$20,000 per employee.

The minister has also failed to address the issue of the availability and cost of directors' and officers' insurance to cover the personal liability. In fact, the minister has required that I submit a freedom-of-information request to obtain a report prepared by the Ontario Insurance Commission on this issue.

Bill 70 does represent a significant change in the amount of wages that officers and directors will be held personally liable for. The minister should stop attempting to pass this legislation off as business as usual and start to honestly respond to and address the growing level of concern with this legislation.

PAL PROGRAM

Mr Mammoliti: I rise today to praise the work being done by Pal, a community program in my riding of Yorkview.

The media are not always kind to my riding, and I am very concerned about this. We do not often hear about the good things about Yorkview. Today I am very proud to tell everyone about Pal, a program run by the Jamaican Canadian Association and the Dellcrest Children's Centre. The program matches a black youth and a caring adult and gives a child in need a supportive atmosphere. Volunteers become positive role models for kids in the black community who are having a tough time coping with the problems of growing up. At the same time, it educates the children about black culture and black heritage.

I would like to take this opportunity to commend the program's co-ordinators, Newton Van Riel, Christine Brown, Bill Roy, and the very special volunteers for the job they are doing. Keep up the good work.

VISITORS

The Speaker: I would like to invite all members to welcome several guests to our chamber this afternoon: first, seated in the Speaker's gallery, Chief Steve Jourdain and members of the Lac La Croix first nation, Elder John Boshey, Bob Ottertail, the traditional chief, and council members. Welcome.

I also invite you to welcome, seated in the members' gallery, Muriel Smith, who is former Deputy Premier of Manitoba.

Last, but certainly not least, is a long-standing former member from Rainy River, Patrick Reid.

STATEMENTS BY THE MINISTRY

AFFORDABLE HOUSING

Hon Mr Cooke: Today I am pleased to release two papers about housing policy for public consultation. The first deals with an overall framework for housing, the second with the use of government land for housing.

The government's housing strategy has four parts. I would like to remind members quickly what they are. First, we want to increase the supply of affordable housing, especially co-ops and non-profit housing. Second, we want to make sure that surplus property owned by government is used for housing. Third, we are developing a fair and understandable system of rent control. I will be presenting it to the House very soon. Fourth, I believe we must improve the quality of life for people who live in public housing. I will be releasing a consultation paper about this also in the very near future.

But let me return to the documents we are releasing today. The first paper prepared by the Ministry of Housing is called A Housing Framework for Ontario: Issues for Consultation. It looks at the big picture.

There are many things we already know about housing in Ontario. For instance, we know there are more than 100,000 households without decent, adequate housing. We know that rising land prices have to a large degree driven up the cost of building homes and apartments. We know that most of our existing low-rise apartment buildings and many of our high-rise buildings are over 25 years old. But there are many things we do not know enough about, and they are what we want to consult on.

The paper I am releasing today lays out our objectives and describes some current problems and options. It presents choices on nine topics. For instance, how can we make sure that the non-profit housing we are building today will stay affordable in the future? Should the government provide direct financial assistance to the private sector to encourage construction of affordable houses and apartments? How can we make sure there is enough funding to maintain and repair non-profit housing? How can the costs of housing construction be reduced?

1350

Over the next few months, we at the Ministry of Housing will be meeting with a range of groups and individuals to explore answers to these questions. I want to hear from organizations such as the Ontario Non-Profit Housing Association, the Co-Operative Housing Association of Ontario, the Ontario Home Builders' Association, the financial institutions and many other groups across the province.

I am also very eager to hear from people who are disadvantaged or poor or homeless. I realize they are harder to reach, but it is important that we hear their views about housing. I believe the best way to develop a sound housing policy is to listen to people who will live in that housing and to groups that will build, manage and finance it.

The second paper we are releasing today is called Government Land for Housing: Questions for Consultation. Starting today, we are implementing changes to make more effective use of government-owned land for housing.

My colleague the Minister of Government Services will have more to say about that in just a moment.

We are inviting interested individuals and organizations that want to comment on these papers to give us their views by Friday 30 August. Their views will be considered when we refine the policies.

There are two organizations that represent not-for-profit housing in Ontario: the Ontario Non-Profit Housing Association and the Co-Operative Housing Association of Ontario. They will be holding meetings across the province on our consultation papers. At this point, I would like to acknowledge their partnership with us and thank them for their efforts. They have worked hard with us in putting these consultation papers together and I am sure they will continue to support us in our efforts.

The consultations we are beginning today will help us develop an integrated, comprehensive housing strategy to serve the people of Ontario for years to come.

The Speaker: The Minister of Government Services.

[Applause]

Hon F. Wilson: Thank you for that well-deserved applause. As my colleague the Minister of Housing has indicated, the government is making policy changes to make better use of government land for housing, especially affordable housing.

As members know, the province has had a Housing First policy that gives housing priority when government lands become surplus. Under this system only about 5,000 units have been marketed on such lands over the last four years. We believe that we can reform and improve on this performance.

Our new housing priority policy for the government land includes these changes: First, we will give housing priority on government sites when is no longer needed by an individual ministry or agency, not just when the government land is surplus to the government as a whole.

Second, the lands of virtually all government agencies will be covered by this policy, not just selected agencies, as under the previous policy.

Third, we will require all ministries to prepare a list each year of their underutilized properties. This means we can identify many new sites that are now being used for commercial or institutional purposes but which can be re-developed to include affordable housing.

There are other steps that we believe would increase the amount of affordable housing produced on government land. That is why we are consulting. We want input on measures such as these: By how much should the percentage of affordable housing on government sites be increased, beyond 35%? Should a certain proportion of land be assigned for non-profit or co-operative housing and should a site be held if there is no appropriate housing group that can take it immediately? What about new land? Should the government buy new land for housing in communities that have a strong need for housing but have little suitable government land? Last but not least, should municipalities, school boards and other agencies which receive provincial government funding be required to offer their surplus property to the province to buy for housing?

The consultation paper, which all members have, outlines some approaches that we think would work for each of these issues discussed, but I want to stress that no final decision will be made until after consultations are completed on 30 August.

We realize that, by itself, government land cannot provide the entire answer for the affordable housing problem but we believe it can be an important part of our overall solution.

LAC LA CROIX BAND

Hon Mr Wildman: I would like to inform members of a number of initiatives the government is pursuing to address historic grievances and to improve the economic and social conditions for the Lac La Croix first nation in northwestern Ontario.

The 250 members of the Lac La Croix first nation live on a reserve on the southwestern edge of Quetico Provincial Park, on the international boundary between Ontario and Minnesota. There is no road access to the community and employment is seasonal and restricted because of the isolation of the reserve. One of the few employment opportunities that currently exists is to guide visitors in Quetico Park.

For nearly 90 years, this first nation has demanded that the province honour its rights and provide it with more meaningful economic opportunities. Until now, successive provincial governments, and also the federal government, have not responded positively.

Before I announce our initiatives, I would like to outline some of the history of this area.

The Lac La Croix first nation signed Treaty 3 in 1873. Briefly, Treaty 3 guaranteed that the first nation can exercise its pursuits of hunting and gathering in its traditional area, subject to some conditions, such as non-native settlements, lumbering, mining and other land uses. It was not contemplated in 1873, when this treaty was signed, that the idea of other uses would include establishing a provincial park like Quetico.

It is also important to note that when Quetico Provincial Park was created in 1913, the Lac La Croix first nation was not consulted by the Ontario government.

This lack of consultation has led to a number of injustices since 1913. These injustices include removal of families from their traditional lands; the prevention of first nation members from visiting sacred ceremonial grounds; the disturbance of traplines by provincial officials, and the detention and incarceration of community members for trapping, hunting and fishing.

We cannot undo these injustices. We can, however, recognize that the traditional activities of this first nation have been interfered with.

We understand that the first nation has been hurt by the fact the federal government, as its trustee, has not acted in a manner fitting to the crown. In addition, successive Ontario governments have failed to recognize the aboriginal and treaty rights of the Lac La Croix first nation.

The elders and chief of the Lac La Croix first nation are in the Speaker's gallery today and have been introduced. I want to say very directly and personally to them,

as well as to the members of the House, that our government is prepared to make a public apology to the Lac La Croix first nation for the lack of respect that has been shown to its people and to its rights. We are committed to honouring the rights of the first nation. We are also prepared to move ahead and to begin to create conditions that will help solve the economic and social problems of this community.

Lac La Croix has made a proposal to the province to add six new lakes within Quetico Park where its members will be allowed to use motor boats as part of its guiding activities. At present, the community has motor boat access to six lakes on the west side of the park and an aircraft landing site at Beaver House Lake.

The first nation has also requested additional landing sites and docks within the park, again for guiding purposes.

On an interim basis, the province has accepted part of this proposal in order to provide some immediate and much-needed economic stimulus for this community. Through an exemption order under the Environmental Assessment Act, the first nation will be allowed to access three additional lakes, Cirrus, Jean and Conk lakes, which are adjacent to the area where they already have motor boat access and a landing site. The motors for these boats will be small, with a maximum of 10 horsepower.

I recognize that there is considerable and legitimate public interest in any changes to Quetico Park, particularly changes that deal with motorized access. Therefore, I am committed to a program of full public consultation on all the elements of the proposal for more access to the park by the Lac La Croix community. I am very pleased to inform members that the Lac La Croix first nation is willing to participate in public consultations. Public consultation will be conducted in accordance with the Ontario Provincial Park Management Planning Guidelines. In addition, before any amendments are made to the Quetico Park management plan concerning the Lac La Croix proposal, I will ask the Provincial Parks Council to conduct a review of the proposed amendments.

We trust that the public consultation and the parks council review will be completed within a year to conform with the exemption order that provides the community immediate access to three additional lakes.

We are also prepared to move immediately to assist with economic development at Lac La Croix. The province will provide \$72,000 so the community may buy its own canoes and motors and increase the benefits from its guiding activities. At the moment, the community rents canoes and motors. The Ministry of Natural Resources will also hire four members of the community to act as a fire protection crew for Quetico Park.

1400

In order to address other outstanding grievances of the community, I am pleased to announce that Ontario has appointed a special representative who will discuss a number of issues with the first nation. Our special representative will be Lloyd Girman, a former Deputy Minister of Northern Affairs and native affairs in the Manitoba government.

A key issue to be resolved is the land claim of the first nation. The claim involves an area referred to as the Sturgeon Lake Indian reserve 24C, which is adjacent to McKenzie Lake in Quetico Park. The area was surveyed for a reserve in 1877.

Interjections.

Hon Mr Wildman: Mr Speaker, this is very important.

The Sturgeon Lake Band settled on the reserve until the reserve was cancelled in 1915 by Ontario. Thereafter, the families were removed.

We will invite the federal government to participate in the land claim discussions. However, the province is prepared to move quickly and negotiate matters that are within provincial jurisdiction. Mr Girman will also discuss with the first nation the exercise of its aboriginal and treaty rights to hunt, fish and trap in its traditional area, which includes Quetico Park.

The discussions between Ontario's special representative and the first nation will also focus on improving housing and social services and on providing road access to the community. The Ministry of Natural Resources is prepared to commit \$500,000 to the construction of a road or trail to the community. This road will be outside the boundaries of Quetico Park.

Ontario is determined to move forward quickly, to acknowledge past wrongs and to work constructively and respectfully with the Lac La Croix first nation. The provincial government is also committed to full and fair public consultation with all, with an interest in improving the park values that make Quetico Park a very special place. Meegwetch.

MINING INDUSTRY INDUSTRIE MINÈRE

Hon Mr Pouliot: Today we mark the dawn of a new era for mining in Ontario. Today the regulations of the new Mining Act, as well as the balance of the amendments contained in Bill 71, come into effect. It is, I feel, very appropriate that the new regulations are being proclaimed during Mining Week in Ontario.

Le secteur de l'industrie minière constitue un élément crucial de l'économie de l'Ontario. Nous sommes d'importants producteurs d'or, de nickel, de cuivre, d'uranium, d'argent, de sel et de zinc, pour ne nommer que quelques-uns de nos minerais. Plus de 85 000 personnes travaillent dans le secteur minier en Ontario. La valeur de notre production de minerais s'élève à plus de 7 milliards de dollars. En tant qu'exportateur, le secteur minier se situe au deuxième rang de la province après le secteur de fabrication d'automobiles.

The new regulations update the administration of Ontario's mineral resources. They address a wide range of environmental and procedural concerns held by the industry and the public. The intent of this act is to encourage the prospecting, staking and exploration for new mineral resources, while ensuring that every phase of mining operations, including closure, will be pursued in an environmentally responsible manner.

Now, for example, public notice and approved closure plans may be required prior to advanced exploration and will be required prior to development. All existing mines will have to submit closure plans and financial assurance will be required for reclamation. New provisions address the growing desire to ensure responsible development of Ontario's resources.

Bill 71, members will recall, was introduced in October 1989 by the previous government, providing for the first major revisions of the Mining Act since 1906. Since then, my ministry has ensured, through public consultation and working groups, that it has sounded out the people who are affected by the proposed changes to the Mining Act. Fully 15 amendments were made to Bill 71, one of which, I am proud to say, I moved as opposition critic for Mines. Bill 71 was given royal assent on 6 December 1989 after consultation and the hard work of our civil service.

De nombreux groupes se sont joints à l'Association minière de l'Ontario ainsi qu'à mon ministère pour planifier les activités de la Semaine de l'exploitation minière 1991. Cette semaine permet d'accentuer l'importance du secteur minier pour les communautés, pour la province et pour le pays.

Par exemple, à Toronto, des élèves visiteront l'exposition sur les mines au pavillon L'Ontario à l'heure du Nord. À Timmins, une émission spéciale télévisée d'une demi-heure portera sur le secteur minier, et tous les élèves de la quatrième année visiteront une mine souterraine de l'endroit. La Semaine de l'exploitation minière en Ontario est un événement communautaire.

Also this week, the Canadian Mine Rescue Competition will be hosted by the defending champions from the Sifto Salt mine in Goderich. Highly trained teams will compete in skills developed to save lives and property in Canadian underground mines.

In this, the centennial year of the Ontario Bureau of Mines, I would urge all members here present, as well as all our constituents, to participate in these events and to reflect upon the vital role mining plays in all of our lives. Let's celebrate mining together.

I would like the members of this House to join me in welcoming Patrick Reid, the president of the Ontario Mining Association, accompanied by Warren Holmes, the chairman of the Ontario Mining Association.

RESPONSES

AFFORDABLE HOUSING

Ms Poole: Normally I would be the first to congratulate the government in going into a consultation process but, frankly, given the history of this NDP government towards consultation, I fear it will be a totally meaningless exercise. If we take what they did with their consultation on rent control, for instance, they sent out one million questionnaires in—believe it or not—a seven-week consultation period, and 10 days before the consultation period was even up, they were well into their draft legislation. So forgive me if I do not place much credence in this government's commitment to consultation.

I have had only 10 minutes to peruse these two documents of some 200 pages, so I cannot give a comprehen-

sive analysis, but my preview has shown that there is nothing new and creative in these documents and they are simply reinventing the wheel. It is all an exercise in semantics.

For instance, they talk about the fact that the Housing First program is now going to be called the Housing Priority program, as though this in itself is going to make a great deal of difference. Well, I am afraid it does not. They are drowning us in semantics, drowning us in rhetoric and drowning us in consultation instead of acting.

If we look at a number of the major issues in housing and what they should be doing with their lands, it is quite clear they are not showing direction and they are not willing to move. That is why, again, the words are there.

I will give members a couple of issues, for instance, which will show that this government has been unwilling to move. Bill 152, regarding the disposal of assets by a municipality, was introduced by the Liberal government just about a year ago, and this would enforce that the province would have the first right of refusal for any municipal surplus lands, that the province could buy them. Yet in this document, what does it say? It gives a passing reference to the fact that it is good policy, yet then proceeds to go back and reinvent the wheel and ask whether we should really be doing this.

Second, they skirted the whole issue of co-ops. They talk about it in their statements, but if you look at the real issues in co-ops they are completely missing from this paper. They are not asking who should be in co-ops, what the people in co-ops should be paying. They are not asking if there should be a centralized waiting list, the same as there is for other subsidized housing. They missed the boat, and I think they deliberately missed the boat.

I was looking through it to try to find references to land use planning for housing policy, Planning Act reforms, what is happening with Seaton, what effect this consultation paper is going to have on it. There was very little in there, yet these are issues that are crucial to the housing area.

It is quite obvious that this government, in its rent control legislation, legislated first, before asking the important questions. Questions they are asking here will not even begin to be answered before they go through their legislation later this week. This government should rethink what it is doing. It is time for action, not words.

1410

LAC LA CROIX BAND

Mr Ramsay: We are supportive of allowing natives a greater level of self-determination, as I am sure all members of this House are, and also supportive specifically of allowing the Lac La Croix Band members a greater opportunity for economic development, which certainly includes allowing greater access by motor boat to several more lakes of the Quetico Provincial Park.

I will have to add a note of caution, though. What is the point of consultation after the fact? The minister did not give the previous government credit for allowing the initiation of the opening of six lakes the band presently has access to. We were sensitive to that, and we did that with consultation with the various groups out there. I would just

warn the minister that this is obviously a very sensitive area, and one needs to be consulting with the public at large.

MINING INDUSTRY

Mr Miclash: I would like to congratulate the minister on the announcement he brought forth today. I remember working on a lot of that announcement with two previous ministers, the member for Renfrew North in Red Lake and the member for Quinte in Kenora. I must admit that I appreciate him bringing forth the issues that he did today.

But I must remind the minister that the mining industry today is in a very serious situation. We are talking about a mining industry where in 1990 we had nine mines closed, some 3,715 total layoffs, and 2,920 of these were permanent jobs. I appreciate what the minister has brought forth today, but I would really like to see some movement in the Ministry of Mines, movement that will ensure we do have good mining in this province in the future.

LAC LA CROIX BAND

Mr Harnick: In response to the minister responsible for native affairs, I am pleased that an attempt is being made to improve the economic situation on the band site, and I am pleased there will be public consultation to avoid some of the problems that arose in an earlier and similar situation in Algonquin Park.

I am also pleased that the values of the park will not only be improved and protected but in fact are going to be enhanced. For that, I thank the minister.

MINING INDUSTRY

Mr McLean: I want to say briefly to the Minister of Mines that we also recognize the important contribution the mining industry makes in this province. It is great for the economy. We have some of the finest mineral resources in the world, along with the technology and the people to make mining a very viable industry.

However, as I stated in the House last Thursday, we object to the new tax on certain mining lands that will quadruple existing rates over the next five years. We will not tolerate any measure which constitutes a confiscation of property from its rightful owners. I urge the minister again to rescind this tax and get out of the business of forcing land owners to surrender their rights to the government.

AFFORDABLE HOUSING

Mr Turnbull: I would point out to the Minister of Government Services, that this is the second government to announce the use of government land to alleviate problems of availability of affordable housing. It is significant that at a time when the Metro vacancy rate for rental housing is at the highest level in 16 years—which, in other words, is at the highest level since rent controls were brought in—and yet at the same time waiting lists for subsidized housing in Toronto are at historic highs, the government comes forward with this.

It is also significant that the Minister of Housing is going to make his announcement on rent review this week, which is obviously going to dry up all of the private sector initiatives to create housing; that instead of addressing the

root problem of affordability, the government once again ducks its responsibility. We need to create private sector housing and get rid of education lot levies. Do not make taxpayers pay 150% of the price for which the private sector can create housing.

We have seen over and over again that this government has created so-called non-profit housing which is more expensive than for-profit housing. How can it possibly do this?

In British Columbia, when there was an NDP government, the then Housing minister sought to take away land from the University of British Columbia to create housing. Fortunately he did not succeed, and the university is now using that for expansion for what we need urgently in this country, increased levels of education.

Mr Tilson: To the Minister of Housing: Certainly his philosophy of making housing a public utility in this province continues, and it is a sad day when I see that after all the Bill 4 hearings we have been having, he is not changing his philosophy. The minister knows, his socialist friends know and everyone else in this chamber knows that the taxpayers of this province cannot afford that policy. We cannot afford the \$10-billion deficit this province is encountering.

The minister continues to take no action with respect to the 30% of the tenants of this province who cannot afford any tax increases. He is doing nothing with respect to that all through the Bill 4 hearings and all through these announcements. The quality and standard of life of the tenants in this province are continuing to decline because of his policies. I groan at what this permanent legislation is going to cause to the people of this province when it is introduced this week.

He says there are two main organizations that represent not-for-profit housing providers in Ontario. Why will he not consult with the private home builders of this province? Why will he not ask them how to improve the quality of life of the tenants of this province? With respect to housing and government policy on government land, this question has been raised by his party for years and yet it has taken him all this time to introduce this green paper. Then he is still going to wait to the end of the summer to discuss it even further. This is an amazing policy when you see the devastating effects of Bill 4 and when you see the list of families and individuals seeking affordable housing in Ontario growing daily, and in particular in Metro Toronto. The housing policy on the homeless of both ministers is despicable.

Hon Ms Ziemba: Mr Speaker, I would like to request all-party consent to commemorate seniors' month.

The Speaker: Do we have unanimous agreement?

Agreed to.

SENIOR CITIZENS' MONTH

Hon Ms Ziemba: I would like to have the members of the House join me in proclaiming June as Senior Citizens' Month. Hundreds of organizations are planning events that will honour older adults this month. Groups working with or on behalf of seniors, community-based

service agencies, municipal offices, schools, recreation and multicultural centres, all of them and more will host special events for seniors' month.

One of the highlights of seniors' month is the series of stage shows produced, promoted and performed by seniors, including francophones, in 35 different communities in Ontario. These shows are a chance for older people to dust off old skills and polish new ones and they are a chance for seniors to give something to their community.

On 6 June we will present senior achievement awards to seniors who have made a significant contribution to their community after the age of 65. The awards, presented at a special ceremony by the Lieutenant Governor, will be held at Queen's Park. These are the highest distinctions presented to senior citizens in this province.

The province supports the many activities planned throughout this month. As a government, we want to emphasize that seniors deserve to live in dignity and, where possible, independently and within their own cultural diversity.

The theme of 1991 Senior Citizens' Month is "Following in Their Footsteps." It reminds all people that who and what we are is a reflection of the wisdom we have inherited from seniors. Seniors are our parents, our grandparents, friends, relatives and neighbours. We have the opportunity to celebrate the contributions of seniors to our society. They have marked a path for us, allowing us to follow and build on what our elders have provided for us. After all, we are a product of our ancestors.

We must work towards diminishing stress and hardship for our seniors. It is our responsibility to work towards such an environment. As well, it is a time when we must focus on the issues that are of concern to seniors. I am proud to say that the government is continuously reviewing the issue of access for seniors to ensure that information and services are provided in a culturally sensitive manner in our diverse multicultural society.

This government has begun several initiatives to address the special needs of seniors. In December, after a recommendation from a coroner's inquest, Mr Lightman was appointed as commissioner to conduct an inquiry into unregulated residential accommodations for vulnerable adults. This included board and lodging homes and rest and retirement homes.

On 18 April, the first Advocacy Act in Canada was introduced. This act is the centrepiece of a legislative package to address the needs of vulnerable adults. The companion acts, the Consent to Treatment Act and the Substitute Decisions Act, were introduced last week. The Advocacy Act will protect vulnerable adults, including seniors, and will empower them to live their lives in dignity.

Together we can reinforce the message to seniors that they are valued, respected and much needed in our communities so that we can continue to build a healthy province.

1420

Mr Mahoney: Unfortunately, the role of critic of senior citizens' affairs has been one of the easiest I have had to perform in this House, because there have been literally

no announcements of any substantive nature to criticize, either from a positive perspective or otherwise.

It concerns me that once again we get reannouncements from the minister. It is very revolutionary to stand up and declare Senior Citizens' Month, which of course our party supports. In fact, this is the 21st consecutive year that this particular announcement has been proclaimed. I should point out to members that the minister's statement announced what the seniors are doing in their communities, the stage show, and I think that is all very important. In fact, I participated in the opening of the official senior citizens' games for the province. Many of them occurred in my own riding in Mississauga and in the riding of the member for Mississauga South, where some very wonderful activities took place.

But that is what the seniors are doing. The seniors are out there actively promoting their own existence and their own opportunities and they are helping this province by doing that. Certainly we as a party support everything those seniors are doing.

Hon Mr Laughren: Good.

Mr Mahoney: The Treasurer is probably close to joining the ranks and I am sure he will be out there running in the next senior citizens' games, leading the charge on the way to bigger and better things, because he will not have anything else to do. He certainly will not be around here.

However, let me get back on track. The former minister responsible for senior citizens' affairs, the member for Carleton East, my colleague in this House, established a procedure, and I should point out that he was solely the minister for seniors, not for four other portfolios. He established a procedure where he invited members of the opposition parties to sit on a committee to make the decisions on the awards and have input into the very worthwhile awards.

I understand that when the New Democrats were in opposition, in a somewhat belligerent attitude they refused to attend or participate in that process, but I believe the Conservative Party had someone meet with the minister to discuss it. I would just like members to know that I have received no such communication and no such request. Indeed, I have received nothing whatsoever from the minister responsible for senior citizens' affairs, yet the awards are coming out very soon, as the minister has announced. We are delighted those awards are being given out, but we think that in a true spirit of this being a kinder, gentler place, as the Premier is often quoted as having said, it might have been an appropriate thing to contact the critics, even though he does not practise being kinder or gentler. It would have been an appropriate thing to contact the critics for the parties, to have us participate in that process and give us an opportunity to be involved with whatever is being done.

I should tell members that we as a party fully recognize both the past accomplishments and the continued, ongoing, very valued contribution of the more than one million senior citizens living in this province. We believe their contribution, if the backbenchers care about it at all, is

very important to establishing and trying to maintain ongoing prosperity in the face of the damage being done across this province by this particular government. We think if there is anybody who can hold the fort—

Hon Mr Pouliot: Why don't you sit down?

Mr Mahoney: I say to the Minister of Mines that I will not sit down. I will when I am done. If anybody can hold the fort in this province, it will be our seniors, who have wise counsel and hopefully will be able to see us through the very damaging four years ahead.

I would like to quote, if I might—I am not sure if it was a letter or Hansard—from the current Solicitor General. If it is a letter, I am sure he authorized, wrote and signed it and probably even sent it out.

“Mr Farnan said in response to this very statement last year: ‘If the government really wants to recognize seniors, to recognize the contribution they have made to society, then it would be nice if it did it in a practical, tangible, concrete way by giving them the kinds of services they truly need.’”

I quite heartily agree with that particular statement, but I see nothing that would indicate that type of thing is being done.

I take members back to Hansard during the estimates, when the minister said, “In opposition, my party was concerned about services for seniors,” which may mean it is not now; I am not sure. In fact, in 1986 the Speaker, the member for Scarborough-Ellesmere, introduced a private member's bill, the Seniors' Independence Act, which was to provide for the integration of community-based support services with established programs and facilities.

I simply ask the government now, why does it not dust off the honourable gentleman's former private member's bill and bring it into this House so that we can see if there is something? I am sure it was brilliantly drafted. I am sure it would be supported in a very strong way and I for one would like to see the minister consider doing that. Seniors have worked very hard to build this province and it is extremely important that we recognize that contribution.

In closing, there is another quote that concerns me. If this is not the greatest example of an attempt at justification I do not know what is. Again, the minister during the estimates: “As you know, my cabinet responsibilities also include Citizenship, human rights, disabled persons and race relations. In the past, the senior citizens' office was represented by its own minister.” I have already alluded to that with the honourable member. The minister goes on to say: “I want to stress, and I stress this emphatically, that the new arrangement in no way lessens the priority our government places on senior citizens. In reality, combining these responsibilities has enlarged and enhanced the role of the minister responsible for their concerns and issues.”

I would have some difficulty understanding how the government could take a single-minister ministry, turn it into a five-ministry operation with one minister in charge and seriously try to suggest that enhances the role the minister could play in the eyes of the senior citizens.

We find that extremely hypocritical and simply not acceptable, and we call on this government to appoint one

minister—the member for Durham East would be fine, or anyone else the Premier chooses—who could be responsible for senior citizens' affairs. We hope this minister will become an advocate for senior citizens, not only during this one very important month of the year, but during the entire year.

Mr Jackson: It is one thing for the member for Mississauga West to express concern at the lack of statements coming from the government, but it is quite another for him to have saved them all up for the last nine months to treat the House to them this afternoon.

Having said that, I certainly would like to commend the minister responsible for senior citizens' affairs for her announcement. I, on behalf of my colleagues in the Progressive Conservative Party of Ontario, would like to pay tribute to and acknowledge Ontario Senior Citizens' Month. I would like to take particular note of those citizens across this province who serve on the Ontario advisory council on Senior Citizens who have occasion to examine in an arm's-length way various issues and recommend to the minister responsible for senior citizens' affairs certain changes they would like to see in legislation and regulation and procedures in this province.

I would also like to acknowledge some very positive signs of the manner in which seniors in Ontario are becoming less an identified group and more an integrated part of a healthier, growing community. I would like to acknowledge, for example, a long-time friend of seniors, Earl Warren, who was known to many people for his over 30 years on CFRB. Earl Warren began a special program on Saturday 1 June at the beginning of seniors' month entitled Saturdays are for Seniors, on CING radio—that is FM-108, for those members who would like to listen—in the great riding of Burlington South.

I had the pleasure of sitting in with Earl and opening his program, and he has an exciting program every Saturday—

Interjections.

1430

Mr Jackson: My colleagues the members in the Liberal Party suggest the ratings are down. Well, for a tired old party I should say it is required listening. They should listen in.

Let me suggest as well that with seniors living longer, healthier lives, having more meaningful and more active lives in our communities, it is all the more reason that we in this House, in all political parties, do not necessarily just sit back and observe a celebration, but rather use this as an occasion whence we can understand more the kinds of concerns that are being expressed by the seniors in our communities.

Certainly from our caucus's point of view, we have seen some initiatives because we have been trying to listen. The member for Carleton has brought in his Bills 7 and 8 on the living will to give dignity to those requiring medical treatment. The member for Dufferin-Peel has mentioned the problems with nursing home funding in this province. He is joined by persons such as Justice Howland, who in a recent court ruling indicated that it would be appropriate to base the funding on individual need,

whether the individual be a resident in a nursing home, a home for the aged or a private home.

So we see that there is much room for this government to be listening to some of the kinds of concerns being expressed, not only by all members of this House and by the seniors community, but even by members of the bench who have been called upon from time to time to examine whether the rights of seniors are being affected adversely.

It has been brought to the attention of the Treasurer that this is the first budget in modern history in this province which has nowhere within it reference to senior citizens. That has raised some concerns, and we are hopeful that the Treasurer has earmarked some funds for senior citizens in that \$10-billion deficit.

Interjections.

Mr Jackson: Well, it is going to be a rather large deficit, and the absence of a reference in the budget raises some legitimate questions. Even *Seniors Today*, a noted magazine read all across this province, has expressed concern. The verdict is not in; it is appropriate that the minister be given an opportunity to comment.

Certainly seniors are telling us that standards of safety are important for them, and if not met, seniors respond by becoming prisoners in their own homes. If the government will put a higher value on safety in our communities, it is appropriate that we recognize its effect on senior citizens.

We have reduction in access to beds in homes for the aged and nursing homes. Chronic care hospital beds are being cut back, and of course geriatric bed cuts are perhaps the cruellest cut of all to those seniors who are afflicted with Alzheimer's disease, with its absolute denial of any form of dignity for those who are afflicted with it.

There are many things which this government will be called upon to recognize during its term. The seniors of this province simply ask that they be treated with equal dignity and respect. If community living with dignity is to be an objective of this province for all its senior citizens, we must be mindful that they must be able to afford where they live; they must feel safe where they live and have security of their person, and they must be able to live out their remaining years with dignity.

On behalf of my caucus and all members of the House, I would like to pay our tribute to seniors during this very special month in Ontario.

ORAL QUESTIONS

MINISTERIAL RESPONSIBILITY

Mr Scott: I have a question for the Solicitor General about the affair of the letters.

From the very beginning of this affair a little over a month ago, the Solicitor General has said that he was not aware of and did not authorize the letter, one of the three letters that were sent by his constituency staff to the justices.

His second line of defence from the beginning has been that in order to comply with the Premier's guidelines, which require him to take steps to alert his staff about the guidelines, he gave his constituency staff oral and written direction.

On 25 April he told the House, "I want to make it very clear that both in writing, through the conflict guidelines, and verbally through myself, I have consistently repeated the principle" that there can be no contact between the constituency staff and the justices. On 29 April he told the House: "I have communicated very clearly," orally and in writing, "that there had to be an arm's-length difference between my office and the judiciary. I have re-emphasized that, it has been in writing...." On a number of other occasions, he gave the same answer, that there was written confirmation of these instructions.

On Wednesday last, the Solicitor General released the only written communication to his Cambridge constituency office before 25 April, which was a memorandum to the Solicitor General from David Agnew headed "Conflict Guidelines and Constituency Work," dated 25 February. This memorandum makes no reference whatever to contacts between constituency staff and justices. Indeed, as the *Toronto Star* observed, it tells constituency workers that they may represent constituents in their dealings with tribunals.

Will the Solicitor General now at last confirm, notwithstanding his previous answers, that there was at no time any written communication to his constituency office before 25 April prohibiting contact between that staff and the justices?

Hon Mr Farnan: Obviously in the member's answer, he has clearly indicated that there was indeed a written communication. That written communication must be taken in conjunction with all the verbal directives I gave, not at the time the Premier introduced conflict guidelines but long before that. From the moment I assumed the office of Solicitor General, from my first conversations with my deputy, I went back to my office and I reiterated over and over again the principle of separation. That written communication reinforces my verbal communication, and I certainly will not withdraw what the member suggests.

Mr Scott: The Solicitor General is constitutionally unable to answer a question. The only written memorandum makes no reference whatever to contact with the justices. He knows it and it is about time he admitted it up front.

Now the Solicitor General goes on and says, "If you are going to talk about written, I want to talk about oral communications to my staff." From the beginning he said that. On 24 April he told the assembly, "I went back to Cambridge and I took my ministry staff and I said, 'Look, our policy is arm's length....I have emphasized it by telling them.'" On 29 April he repeated in this House that he had verbally communicated the principle to his constituency staff, and he went on to say, "I have from the very beginning transmitted that message to everybody I come into contact with." On 29 April he repeated: "I have re-emphasized that, it has been in writing, it has been oral...."

The summary of the RCMP investigation which has now been revealed indicates that not one of the three constituency staff who were interviewed by the RCMP had received directions or guidelines, written or oral, in relation to corresponding with the judiciary. It is now the

Solicitor General's word against his three constituency staff. If they had received oral advice from him as he says, I am sure they would be anxious to tell the RCMP that.

The Speaker: And your supplementary?

Mr Scott: The question I have for the Solicitor General, with himself on one side, his three staff on the other, on the question of advice is: Whom should we believe, the Solicitor General or his staff? Who is telling the truth about this matter?

Hon Mr Farnan: Let me be very clear. There are two letters in question around which the RCMP investigation took place. One of these was a part-time worker; one of these was a worker who was three weeks on probation. They are not on my ministry payroll; they are constituency staff. Their letters were not on ministry letterhead, they were on constituency letterhead, using my name and staff initials. It was my name as MPP and not as minister.

I am going to repeat to the member once again: I did not sign the letter. I did not approve the letter. I did not send the letter. I did not authorize the letter. In fact, the opposite is true. I have from the very beginning reiterated the principle of separation.

1440

Mr Scott: From the beginning, the Solicitor General, to defend himself in this House, has said he gave written communication to his constituency staff. If the only memo is the memo of 25 February, that is mistaken. There is nothing in there about the justices at all. He says, when confronted with that, that he has given an oral instruction to them. The three who were interviewed by the RCMP in what I am sure was a thorough investigation, though we have not seen it, deny that. They received no advice from the Solicitor General.

The fact is, we are now getting to a more serious problem than the letters themselves, which is the answers the Solicitor General has given in this House about his instruction to his staff. What I want to ask the Solicitor General to do is to produce someone who will say, "I received advice from the Solicitor General," instead of saying to his staff, "I say; I know you deny it." We are raising real questions about the kind of information the Solicitor General is presenting to this House.

The Speaker: Your supplementary?

Mr Scott: I want to ask the minister, will he now submit his resignation?

Hon Mr Farnan: I am not going to be lectured in this House by the member for St George-St David. Let me put on the record that what I say in this House I say outside the House. On 24 April the member opposite made a scurrilous, unfounded accusation of criminal activity on my part. He had to withdraw that accusation in this House. He has been afraid to make the accusation outside the House because he knows if he does he will end up in the courts.

Mr Scott: I am saying in the House that there is no evidence from his own files that the Solicitor General gave any written communication to his staff, and his three staff members—he has not got any more in Cambridge—have all denied that he gave oral advice. I will say that here and

I will say that out there any time the Solicitor General wants to hear it. How does that square with his answers in this House?

The Speaker: Your second question?

Mr Scott: I have a question for the Premier as a result of this. The Solicitor General, as the Premier has heard, has persistently said that he did not write or authorize the letters and that he had given written and oral instructions to his Cambridge office staff that such contact was not to occur.

In this House on 23 April, the Premier indicated that he had received and accepted the word of the Solicitor General in this regard. On 24 April, the Premier said: "I have the word of the Solicitor General. No one has suggested that he is not telling the truth."

As a result of the release of the summary of the RCMP report and the release by the Solicitor General of his written communication of 25 February, it is now clear that there was no written direction. At least three members of his constituency staff, two explicitly—the third apparently was either not asked the question or it was not summarized—have denied, contrary to his assertion, that they received oral advice or direction from him.

I want to suggest to the Premier that this matter is escalating, that a real problem about credibility exists, and a problem about the propriety of answers that have been given in this House. Will he now give consideration, as was suggested by the *Toronto Star*, the *Globe and Mail* and the *Ottawa Citizen* last week, to accepting or demanding the resignation of the Solicitor General?

Hon Mr Rae: In a word, no. But I want to say to the member for St George-St David that I think he is drawing conclusions from the report, drawing conclusions from what has been said, that are at variance. I have read the same summary which the member for St George-St David has read, and I would say to the honourable member that I think he is grossly exaggerating—I will simply leave it at that—what flows from that, and the level of his personal attack on the Solicitor General is simply not called for.

Mr Scott: I respect the right of anybody to read the summary of the judgement, but if there is one thing clear from that summary report it is that the Solicitor General says he gave oral advice and that the three people who worked for him say they received no advice. The Premier cannot get around that reality.

The RCMP report was commissioned to get to the bottom of the matter. The crown law staff, on the basis of the investigation, recommended, as we expected, that there was no breach of the Criminal Code. They, of course, made no observation about whether the Premier's guidelines had been breached. That was not their affair.

Last week in the House the Premier made plain that he had not read the report, as if there were something wrong in reading the report of the RCMP. It would be wrong to interfere with it; it is not wrong to read it after it is done. Presumably, he has not read the depositions obtained by the RCMP from the constituency staff and others.

In order to get to the bottom of this matter and to ascertain whether this House has heard the entire story or

the correct story, will the Premier now undertake to read the RCMP investigative report, and the depositions associated with it, to determine who is telling the truth?

Hon Mr Rae: My initial reaction—and I will obviously be taking advice on it—is that this would not be appropriate on my part. I am saying that, but I have one other point.

The member for St George-St David has on a number of occasions in the House today asserted as a matter of fact—he has not quoted directly, but he has asserted—that staff members said they had never received any oral or verbal instructions from the Solicitor General. I am quoting from page 10 of the report of the summary provided by the office of the Attorney General. It quotes staff member 2, who said she did not have any written guidelines or directions in relation to corresponding with the judiciary. The report is entirely silent on the question of what other conversations she may have had with the Solicitor General with regard to her obligations as a constituency assistant.

Mr Scott: That is about as thin a reed as you can get. If any of the witnesses had said, “Yes, the Solicitor General, just as he said, came down to Cambridge and told us,” that would appear right in the report. The fact is he did not and that is apparent from the report. There is no question about how this has to be read. Five minutes in a courtroom and this explanation would not stand up.

On 24 April, Richard Johnston, a former member of the Assembly, a senior adviser to the Premier from time to time, said on the CBC that if the Solicitor General had not made it unequivocally clear to his Cambridge staff—I presume so they would remember it—that they were never to sign his name to a letter to a justice of the peace, he would clearly be obliged to resign. That is Richard Johnston. He was then and, of course, this is now.

What we now know is that no written instruction about communicating with justices was ever given by the Solicitor General to his staff. There is grave doubt, three to one, whether any oral instruction was given. In light of the fact that the Premier persists in refusing to read the RCMP report—which no doubt got to the heart of the matter—would the Premier now agree that what is required is an independent investigation in which the evidence and conclusions can be made public or, alternatively, that the advice of Richard Johnston should finally be accepted and the Premier should demand the resignation of the Solicitor General forthwith?

Hon Mr Rae: The member for St George-St David has already reached his conclusions with regard to what has happened. I want to read out for the benefit of the member for St George-St David, because in all of his reading of the reports he has never had the courtesy to do so, the one conclusion with respect to the conduct and character of the Solicitor General that the police officers did reach.

On page 8: “The Solicitor General impressed the officers as being a man of high integrity who was making a concerted effort to serve the people of Ontario in his role as the Solicitor General.”

Mr Scott: That is the way he impresses me, but the facts are against him.

The Speaker: The member for St George-St David.

Mr Scott: It is too late, Premier.

The Speaker: The member for St George-St David, come to order.

Hon Mr Rae: It seems to me that in all fairness, that aspect of an independent RCMP investigation might have been considered by the member from St George-St David.

1450

Mr Carr: My question is also to the Solicitor General. He has repeatedly told us that he clearly instructed his staff never to communicate with members of the justice system, but the RCMP report just as clearly states that one member of his staff did not receive this instruction. Who is not telling the truth, the Solicitor General or his staff?

Hon Mr Farnan: I want to commend the critic for the Conservative Party. He points out that one member of my staff clearly indicated that, in her view, she was not given that instruction. I will reiterate that I gave those directions.

One of the members of the staff was a member of three weeks' probation. The other member of the staff we are talking about who is quoted in this report is a part-time member. The full-time member of my staff can be asked—I am sure she was asked—and I know she will reaffirm, because it was discussed on several occasions, about the principle of separation, and the principle of arm's length.

Mr Carr: I would like to quote the Solicitor General of 24 April where he said: “So the answer is yes, both in writing and verbally I have said there must be an arm's length from the Solicitor General to the judiciary. Yes, yes, yes.”

The RCMP report says staff member 2 did not have any written guidelines or directions in relation to corresponding with the judiciary.

The Solicitor General says yes, yes, yes; the RCMP says no, no, no; the public says explain, explain, explain. He has a choice now, explain to the people why there are the contradictions. How does he explain it?

Hon Mr Farnan: Very clearly, when the opposition parties look at any document they are selective. The member for St George-St David was very selective on the communication that was sent to my constituency staff. The critic for the Conservative Party is very selective. I would suggest to them that one must take all of this in its entirety. The statements to my staff, reinforced with the written communication, clearly indicate a separation, clearly indicate an arm's length.

I say inside the House what I say outside. Unfortunately, the members of the opposition keep to their slander inside the House.

Mr Carr: The Solicitor General sounds like Bart Simpson, “I didn't do it, nobody saw me do it, you can't prove a thing.” The fact is that there are contradictions and the public cannot stand the cynicism any longer.

Will he admit that the mistake that was made was on the part of himself, yes or no? Did he mislead this House when he told us clearly that he informed his staff that they

must never, never, never communicate with a member of the justice system?

Hon Mr Farnan: When I say to this House that I have talked to my staff, that I have given a written communication to my staff, of course I stand by that.

Mr Carr: Very clearly what we have here is a contradiction. The RCMP report says that they did not receive it.

We received copies of a couple of letters that were forwarded to us today. One, on 18 February, says very clearly that there was interference. Another letter was sent to the Attorney General. Therefore, he has in his constituency office in Cambridge two individuals, one sending to the Attorney General, the other sending to a justice of the peace within days of each other. Can the Solicitor General explain why one letter goes to the Attorney General and the other goes directly to the justice of the peace? How does he explain these two differences?

Hon Mr Farnan: In everything that has happened in this House concerning this matter, I have been totally open. From the time it has been possible to make information available, I have made it available. I have made it very clear that I want this to be like an open book. I took the same attitude with the RCMP; my office was open to the RCMP. If there is any evidence, if there is any information, if there is any request at all, and I have information that I can give to the opposition and give to the public, provided it is permissible for me to do that, I will give it to them. I have been asked on two occasions for requests. I have complied with those requests. There is a fundamental principle here. When you have done nothing wrong, you have nothing to hide—period.

Mr Carr: That is why we would like to go to the standing committee on administration of justice. We have contradictions. We would like to get all the facts out so the public can rest assured that there has been no interference.

As chief law enforcement officer in this province, it was the Solicitor General's responsibility, and his alone, to instruct his staff that they were never to communicate with a justice of the peace or a judge in Ontario. The Solicitor General took office on 1 October. He should have informed them about this arm's-length policy on 2 October, not on 4 March. Why did it take him five months before he was able to communicate to his staff that they should never, never, never interfere with justice in this province?

Hon Mr Farnan: The member is precisely correct. On 1 October, after I was sworn in, I met with my Deputy Solicitor General. We had a very important conversation in which he impressed upon me the most fundamental principle. I went back to my office in Cambridge and I discussed that conversation with my staff. The substance of that conversation was that there has to be a separation, that there has to be an arm's length. That has been my consistent message. It is the model by which I work and it is the direction I asked my staff to follow.

Mr Carr: The problem is, this situation is clear only in the Solicitor General's mind. The rest of the public is not clear about it. If he was clear in his directions, then how does he explain that three different people on three separate occasions did not get the message? What does he

say to the public? Why did they not get the message clearly? Was it his fault or was it theirs? Who is to blame for this?

Hon Mr Farnan: A part-time member of my staff made a mistake and a three-week probationary made a mistake. In every case where a minister has been forced to resign there has been—

Interjections.

The Speaker: Order. Has the minister completed his remarks?

Hon Mr Farnan: It is very clear that in every case where a minister has been forced to resign, it has been because of direct involvement of the minister in an impropriety of contacting the judiciary, of contacting the police. I did not pick up the phone. I did not write a letter. I did not put my hand on a staff member's shoulder and say, "I want you to contact the justice of the peace." There is clearly arm's length.

Mr Scott: The Solicitor General is using words as if they are made of Plasticine. He said he gave written instructions to his Cambridge staff. I have offered him the opportunity to correct that, but in response to the member for Oakville South he again said he had given them written instructions. I have sent to him the one-and-a-half-page memo that he sent to Cambridge. Will he just read any paragraph, if there is one, in that memorandum that relates to writing to justices? Would he just read the bit that he says was the written advice?

Hon Mr Farnan: I am going to make two points. The first is that the written communication is taken in the context of verbal directives. If the member opposite will look at this particular document, he will note that it says, "In any adjudicative process." An adjudicative process, I would suggest to him, would include a justice of the peace. If you cannot interfere with the WCB, surely to goodness interfering with a judge is obviously more serious. Does the member not realize that?

1500

Mr Scott: The Solicitor General is just getting in deeper and deeper every single day. When you ask him about a written instruction—and there clearly is not one—he says it was verbal. When you ask him about a verbal one, then he says it was a written one, as he said to the member for Oakville South. He cannot play fast and loose like this. Now I assume what I think is obvious, that there is no written instruction, contrary to what he said.

We cannot get the police report. We have to see the summary of it, which indicates to me that three—to my honourable friend, two of his constituency staff; that must be the whole staff—not one of them remembered these trips to Cambridge that the minister made to give them instruction, which he did repeatedly, he says. Not one of them remembers it.

Will the honourable member permit these servants to come and answer questions about it before a parliamentary committee? If he wants the truth, he will agree to do that. If he is not prepared to do that, he will have to accept that every member of the House and the general public will

draw their own conclusions, not about whether he signed the letter but about his attitude in this House, which at the end of the day is more important. Will the honourable member release the names of those people so they can be subpoenaed by a committee?

Hon Mr Farnan: The honourable member continues to confuse facts. One member of the staff was there three weeks into a probationary period, so if I were giving repeated messages I do not think the member can include this in his summary.

Second, as the member for the third party had pointed out, two members perhaps can be identified; of those two, one is the three weeks' probationary. Now we are reduced to one member, and I am prepared to go on the record and say, if people wish to contact that other member of staff, they will find out very clearly that she supports my position, that I indeed discussed this matter repeatedly within my constituency.

Mr Sterling: I have a question of the Premier. I have listened for some days now to the questions and the answers regarding the conduct of the Solicitor General. There are obviously a lot of questions as to what happened or what did not happen, who said what, who received what type of instructions. I think the credibility of the Solicitor General and, quite frankly, of the government is in question, as was stated in a number of leading newspapers across this province. What harm can come of the Premier's referring this to a committee of the Legislature to determine what the facts really are?

Hon Mr Rae: In my view, the facts have been presented to the public as clearly as possible. The Solicitor General has made the position clear in the House. The investigation has taken place with respect to the RCMP, and in my view the facts are out.

Mr Sterling: Back in 1980, I was a member of this Legislature, and at that time there were some serious questions with regard to an Astra/Re-Mor Trust Co matter. At that time, there was a serious criminal investigation under way with regard to the principal of the Astra Trust Co. The New Democratic Party and the Liberal Party, in a minority Parliament, forced the government of the day to divulge all of the criminal investigations that were going on with regard to that very, very sensitive matter.

I sat in room 163 of this Legislature with a number of members of the other party going through 20 or 30 four-drawer file cabinets of criminal investigation material. The material that appears to have come to light or might be there, I am certain, does not equal the sensitivity of that kind of information. As a result of those hearings, three members from each party were given the right to look at those criminal investigation reports. They were held in confidence by those members. In fact, as a result of the criminal investigation there was a serious criminal charge laid, which resulted in a conviction and a subsequent severe sentence for the principal of Astra Trust.

In light of the record of this Parliament in looking at criminal investigation reports, why would the Premier deny in this case, where there are no criminal charges being laid, members of the justice committee, or perhaps

two or three members of the justice committee, the right to look at the criminal investigation report of the RCMP so that the facts can really be determined as to whether the Solicitor General was in fact fulfilling his obligations as a minister of the crown?

Hon Mr Rae: I can only say to the honourable member that I do not see any parallel between the situation at Astra Trust and the situation today.

Mr Fletcher: I have a lot of faith in the Solicitor General and he has my support.

CAPITAL FUNDING FOR SCHOOLS

Mr Fletcher: My question is for the Minister of Education. On Friday I was pleased to hear the minister announce \$2 million in capital funding for the rebuilding of Paisley Road Public School in my riding of Guelph. This school consists of five run-down metal satellite buildings built about 40 years ago. The minister will remember that I endorsed this project and the efforts of the Paisley Road Parent-Teacher Association.

I am also aware that the capital requests from Ontario schools totalled more than \$2 billion, while the ministry had only \$300 million available. I commend the minister for recognizing the special need at this school. My question for the minister is whether she can clarify when the money will be available for the construction so that construction may begin.

Hon Mrs Boyd: The previous government, recognizing the really major space problems that were occurring in the province, entered into a long-term plan of preflowing funds. The funds that we flowed the other day were for the 1994-95 year, the next year after the program. What has happened in the past is that some school boards, recognizing the need of their communities for these schools, have gone into debenture situations in order to finance the building of schools earlier than the year in which the funds will be released by the government. But these funds are for the 1994-95 fiscal year in terms of government grants.

MINISTERIAL RESPONSIBILITY

Mr Scott: I want to ask the Attorney General, now that the decision has been made that there will be no criminal charges arising out of the affair of the letters, if he sees any reason at all why the Premier of Ontario should not be allowed, as the Attorney General has done, to read the full investigative report, together with any depositions that are attached to it. Is there any reason why the Premier should not read it?

Hon Mr Hampton: I suspect the member for St George-St David knows that when an investigation is undertaken by police for a particular person, the report that comes out of that investigation is to be used for that purpose and that purpose alone. That is the situation here. When I requested the RCMP to investigate, it was from the perspective of seeing if anyone had obstructed justice or anyone had attempted to obstruct justice. That was the basis upon which the report was prepared. That was the basis upon which the RCMP clearly was operating. It would be improper for me to release the report for any other reason.

Mr Scott: Once an investigative report has been made, the Premier has not the right, and would not exercise it even if he had it, to interfere in an investigation or to interfere before a decision has been made to lay charges. But once an investigative report has been made to the Attorney General and read by the Attorney General, can it really be that under this government the Premier of the province is not going to be allowed to read it? I leave that there. I have never heard of any such proposition in Ontario, anywhere else in Canada or in England, where most of this practice comes from.

But having got the Attorney General to make that very odd remark, may I say this: The investigative report was prepared for the Attorney General or the government by the RCMP, which acted as agent for the government in conducting an investigation. Will the Attorney General ask the RCMP to permit release of the report to the Premier or the public? We have often in government asked for that, and that permission has always been granted. I am sure if the Attorney General will undertake today to ask the RCMP to permit the release of the report, it will do so. Will he undertake that today?

1510

Hon Mr Hampton: I have had a number of discussions, through senior legal advisers in the Ministry of the Attorney General, with the RCMP, and the RCMP is very clear. They regard their report as a report that has to deal with the criminal investigation. There are several privacy matters that they regard as important. They have asked that the report be used for the purposes of ascertaining whether or not criminal charges ought to be laid, and for no other reason.

LANDFILL SITE

Mrs Marland: My question is to the minister responsible for the greater Toronto area on the subject of waste management. I understand that she met last week with the mayor of Mississauga to discuss one of the regions in the GTA that is facing a garbage crisis. I also understand she was informed again by the mayor that there is a signed agreement as to the closing date of the Britannia landfill site. She has said she does not want Peel to close it because she may need it in an emergency to take more garbage.

However, as the mayor has pointed out, if that were to be the move, it would not be the result the minister needs. It would not be the solution she needs because there would be lawsuits from the people around that site, who were assured by a written agreement that the site was going to close.

I am asking the minister today if she will promise the people of Mississauga that she will not expand that site, which she herself in the past has criticized, because originally it was approved under the Environmental Protection Act and she was opposed to it when she was in opposition.

Hon Mrs Grier: The site to which the member refers was approved some years ago. I do not think I was in this House to criticize the approval process at that time, but I am certainly aware of the member's concern and that of the mayor of Mississauga, who has expressed to me on a

number of occasions her desire that this site close as soon as possible. The reality is that no contingency planning had been done, until this government took office, about what happened in the long term with waste disposal.

As the member is well aware, I have undertaken to report back to this House about the measures my ministry has been investigating with respect to short-term contingency actions that would have to be taken if we ran out of landfill capacity within the GTA prior to the opening of the new landfill site. That undertaking still stands.

Mrs Marland: This minister was not in office when that site was approved. However, this minister sat in this House and criticized the fact that the site was approved under the Environmental Protection Act. Furthermore, the minister has stopped the progression of an approval of a site in Peel because it was under the Environmental Protection Act, the same as the site in Durham. She put a whole cap on that progress that was being made when those regions were independently finding a solution to their own garbage crisis.

Based on the fact that the minister now has an authority that has set up firms to go and do research into site selection for long-term sites, and one of those sites is to be in the region of Peel, is she going to reimburse the region of Peel any of the \$4.5 million it has already spent on site selection? That information will, of course, be requested by the agents of the minister's waste authority. Is she now going to reimburse the taxpayers of the region of Peel for any of the work that has already been done in that site selection process?

Hon Mrs Grier: As the member has said, in fact the site selection process for the new long-term sites has begun, and I hope the site selection criteria will be available for consultation very soon. I think I have already addressed a question on that issue in the House.

I am also glad to be able to tell the member that while it was anticipated that the Britannia Road site to which she refers was due to close in the middle of 1991, the region of Peel and the city of Mississauga have been extremely helpful in sharing information with the GTA authority and it is now obvious that the Britannia Road site is going to be available for waste until March 1992, which is a tribute to the waste reduction efforts being undertaken within the region of Peel.

The issues the member raises with respect to the financing of the long-term search, the work that has already been undertaken, are all going to be part of the discussions and the negotiations the new waste authority will have with the regions as we proceed in the long-term site search.

PESTICIDES

Mr Drainville: I would like to ask a question of the Minister of Natural Resources. Last week, the American Journal of Public Health released a study on bacillus thuringiensis, otherwise known as BT. This is a bacterial agent that is used in fighting gypsy moth. In my riding of Victoria-Haliburton, since the release of that report, there have been concerns and questions raised by residents in my riding as to this agent, BT, and whether there are some

hazards related to it. I ask the minister whether he could tell us how that is used by the ministry and what its disposition is towards using BT.

Hon Mr Wildman: This is a very important question. I am familiar with the study to which the member refers and I want to emphasize that the study concluded that BT has a remarkable safety record, considering how widely it is used in North America. However, it is important to recognize that the medical community is reluctant to label any bacterium as absolutely non-pathogenic to humans.

BT, it should be remembered, is a naturally occurring bacterium. The study did not provide any clear evidence that there is any threat, or what threat there might be, to people with weak immune systems. Having said that, however, if there is any municipality or individual or community that wishes to withdraw from the program, the ministry would accommodate that. It should be recognized that where municipalities have asked for participation, the spray program is advertised 30 days and seven days prior to any spraying.

Interjections.

Mr Drainville: I found it hard at times to hear what the minister was saying because of some of the outpourings of the opposition. This is a very serious issue and affects the whole of the north country in terms of the gypsy moth. I was wondering if the minister would be willing to talk specifically also about the gypsy moth program in Ontario and how that is being used by the ministry to fight the gypsy moth problem.

Hon Mr Wildman: This is a very popular program for fighting the gypsy moth in southern Ontario and, in northern Ontario, the spruce budworm. In the member's own riding we have 525 and 716 private land owners, respectively, in Victoria and Haliburton participating in the program. The ministry sprays a total of 36,500 hectares for gypsy moth. The program is cost-shared by the land owner and the municipality, with the administration of the program shared between the ministry and the municipality.

I should re-emphasize that the ministry only uses BT in an aerial treatment for insect pests. There are no chemical pesticides used in aerial applications in this regard.

NORTHERN ONTARIO

Mr Kwinter: I have a question of the Treasurer and Minister of Economics. Today the Liberal budget review tours in Sudbury, examining the impact of the NDP budget and what effect it is having right in the Treasurer's backyard.

Melinda Dozzi, the president of the Ontario Hotel and Motel Association, told the task force that her two main concerns are gasoline prices and loans for small business. For northern consumers and small businesses alike, the 30% increase in gasoline taxes is an incredible financial burden. This was recognized by the current Minister of Mines when, in a debate on 28 May 1986 and, more recently, on 26 June 1990, he decried the fact that gasoline prices were higher in the north. On both occasions, he said all it took was a stroke of a pen to change it.

Again in the Sudbury Star of Tuesday 21 August, the then leader of the official opposition said that if he were Premier, he would bring in one-price gasoline across the province. Could the Treasurer tell us what happened to that promise by the Treasurer and his government about gasoline prices in the north?

1520

Hon Mr Laughren: There has been considerable debate across the north on the whole question of gasoline prices. As a matter of fact, I can recall some of my own utterances over the years about the unfairness of the pricing of gasoline.

During the time leading up to the preparation of the budget when we had groups in expressing their views and giving their advice, some of which I took and some of which I did not, that was one of the issues bothering me the most, the whole question of gasoline prices in the north. No matter which model we looked at in terms of making sure that prices were fair across the province, it seemed that it became ever more complex when we looked at all the possible solutions.

Since then, I have expressed the hope that rather than relying on the government in this particular case to move in and impose price controls on gasoline across the north, the private sector, without engaging in any collusive behaviour whatsoever of course, might think of a more logical way in which it, as individual companies, would price its product across northern Ontario.

Mr Kwinter: I would like to turn to the other concern that was expressed. According to the Ontario Hotel and Motel Association, the small business person has become a nonentity in the NDP government.

During the election campaign, the NDP proposed "to introduce a program of reduced-interest loans to small business for startup costs and to refinance existing high-interest loans." Some \$40 million would be available. The Treasurer did not deliver this in his budget, and one of the things that is crushing small business in this recession is the refusal by financial institutions to lend it money.

Could the Treasurer tell us why he ignored the reality of this situation in his April 1991 budget, when in August 1990 he and his party were making promises about it?

Hon Mr Laughren: First of all, I must say I felt that the \$9.7-billion deficit was high enough to start with and that to make it higher by a further program of more loans or grants simply would not be acceptable.

In thinking about the motel and hotel industry, when I was in New York recently being so warmly received, I noticed, when I paid my bill when I checked out of the very modestly priced hotel, three different taxes that applied to the hotel bill came to over 20% of the price of the bill. I think sometimes when we are comparing the whole question of taxes here versus other jurisdictions we simply do not take into consideration all of the taxes in other jurisdictions, and I think we should start doing that.

CHILD CARE

Mr Jackson: I have a question of the Minister of Community and Social Services. It is no secret that the

NDP government is pursuing a course of action designed to wipe out private child care delivery service in this province.

The minister would be aware that a non-profit day care centre which was built at considerable expense to Ontario taxpayers on Observatory Lane in Richmond Hill was scheduled to open last September, but it still remains empty to this day. The doors have never opened. It did not open because an insufficient number of children applied and they could not pull together a management team.

It is my understanding that this is not the first case of a non-profit centre failing to open its doors after the taxpayers have built it. Can the minister inform all members of this House just how many centres in Ontario have been built and have not opened?

Hon Ms Akande: I thank the member for the question. I do want to once again correct the premise upon which this question is based. It is not a well-known fact that this government is trying to put for-profit child care out of business. I must say, though, that I have no knowledge of the centre to which the member refers. However, I certainly will look into it and I will promptly get back to this House with the answer.

Mr Jackson: In the minister's former life as a teacher, I do not know what the penalty for not having done her homework was, but in this instance we are looking at a \$700,000 government screwup, and she does not know anything about it. That really shocks me.

I do believe that this minister is dancing to the tune of her ideology and not listening to the concerns of taxpayers. The truth of the matter is that on 7 March of this year, this minister announced a further \$700,000 to go towards the building of another non-profit day care centre in Richmond Hill, less than two minutes' drive away from the Observatory Lane centre which has never opened its doors. This was all in her announcement under an anti-recession package.

The mayor and the members of municipal council visited these sites. They have expressed concern as to why the minister is spending millions of dollars building centres that never open, when that centre could have provided 110 subsidized child care spaces, where there is clear demand and where the public is asking for support and yet she has not given it in this area. Will the minister tell this House just how many centres are involved and how many dollars are involved in these non-profit centres that never open under her government's programs?

Hon Ms Akande: In actual fact, in my previous life the penalty for not doing one's homework was doing one's homework, and that is what I have suggested I will do. I will find out exactly the information the member requests and present it in this House tomorrow. However, I must say once again that the particular incident to which the member refers is being generalized in his question and we have no indication at this time that this is in fact a general concern.

SENIOR CITIZENS

Mrs Haslam: In my riding we do have a number of seniors. A couple of weeks ago I was attending the Ritz

Lutheran Villa to open its new wing. I am pleased to report that we are giving consideration to some new housing for seniors in my riding, so I would like to ask the minister responsible for senior citizens' affairs, since this is Senior Citizens' Month, how this government is making changes that will affect the seniors in our ridings and in all of Ontario.

Hon Ms Ziemba: We believe, as a government, that seniors have played a very important role in all of our lives, and we also believe it is not just to make announcements during Senior Citizens' Month but to make announcements all through the year.

We have been making some very substantial changes to seniors' lives by introducing the Advocacy Act, which will have second reading this afternoon, and by appointing a commissioner last December to look into unregulated homes. The commissioner will come back in July with his recommendations on unregulated homes for the frail and for seniors. We have also introduced for first reading the Substitute Decisions Act—the Attorney General introduced that last week—and a new health consent act.

We have made provisions for more commitment to transportation: accessible taxis. We have announcements coming up which will address the needs of seniors when it comes to long-term care and also for housing.

We have also looked at the fact that affordable housing is very important for seniors and that Bill 4, when it comes to affordable housing, is extremely important and that we are making sure that seniors are well looked after in housing needs.

1530

SKILLS TRAINING

Mr Daigeler: My question is to the Minister of Skills Development, if I could have his attention for a moment. The minister may recall that on 15 May my Liberal colleague the member for Renfrew North asked the Treasurer about new training initiatives and new training funds in his budget. In his response the Treasurer said, "We are working within government to put together a very serious proposal and effort on the whole question of training in the province."

I would like to ask the minister, is the \$3.5-million worker adjustment program that he announced some 10 days ago all we can expect from his government on re-training, or will he keep the Treasurer's promise for a very serious proposal and effort on training, and if so, when will we see it happen?

Hon Mr Allen: The short answer is "soon," but I think the member would want a little bit more than that. He knows that recently we have put \$6 million into ensuring that apprentices are able to complete their training regardless of depression circumstances; that we have put an extra \$2 million into technology and technicians' upgrading programs; that we have put a further \$1 million into pre-apprenticeship programs for women and for designated minorities so that they will be able to access apprenticeship programs.

But beyond that, there are two other initiatives that the member needs to be aware of. He may not realize it, but

with 38% of the labour market in Ontario, we have been getting 23% of the federal training dollars, and our past governments, for some reason or other, have let about 14 or 15 percentage points slip out of their hands in terms of accessing federal training dollars. We are in the midst of negotiations with the federal government to make sure that it antes up its fair share of training dollars to Ontario so that we can in turn beef up training in the midst of our Ottawa-made recession.

Mr Daigeler: I am pleased to hear that the minister is in fact taking a very serious look at the whole question of training, and I am certainly looking forward to receiving some details on his plans very, very soon, because I think we all are agreed that the whole labour-adjustment industrial restructuring that is happening at this time and the effects of the recession are very tremendous for our whole economic future.

The minister will remember that some very valuable work has already been done by the previous government on this whole question of training, and I refer to the report which was issued last August, *People and Skills in the New Global Economy*. So clearly the minister has some very excellent work already on his desk, and I certainly hope that he will be coming forward very soon and very quickly with a comprehensive training outline and training plans for this province.

The minister also referred to the federal and provincial training agreements. I am glad he mentioned that, because we were supposed to hear very shortly—in fact, by now—that a new training agreement has been signed with the federal government. Can the minister advise this House when that training agreement with the federal government will be signed, what position he is taking and what we can expect from that new training agreement?

Hon Mr Allen: Globally, I think I indicated what we expect to achieve under the agreement, but there have been a number of very important technical discussions around the terms of reference, for example, as to what would constitute the fair treatment of Ontario in the context of the allocation of federal training dollars. It has been matters like that, like coming to an agreed-upon structure for the delivery of training dollars through local training boards, that have protracted these discussions at some length. But I expect it will not be long before that agreement has been signed.

The member should also know that we have been working very much on a fast track in order to develop an Ontario training and adjustment board not unlike but considerably different from the model that was presented in the *People and Skills in the New Global Economy* report from the previous Premier's Council, and that is at the same time, almost concurrently with the training agreement, coming to a head at this point in time.

I would expect the member should keep his eyes and ears open and there will be some good news fairly soon.

PETITIONS

NURSING HOMES

Mr Tilson: I have a petition from the residents' families and staff of Avalon Care Centre in Orangeville that

consists of 83 signatures. It is addressed to the Legislative Assembly of Ontario:

"Whereas we, the residents' families and staff of Avalon Care Centre, are very concerned about the funding inequities of nursing homes in the province of Ontario, and

"Whereas it is our understanding that the government funds homes for the aged at a much higher rate than nursing homes,

"We the undersigned petition the Legislative Assembly of Ontario as follows:

"We demand equality in funding and staffing between homes for the aged and nursing homes in order to meet the increased needs and maintain the quality of life of nursing homes."

AMALGAMATION OF TOWNSHIPS

Mr Eves: I have a petition for the honourable Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"We are against the amalgamation of Cameron and Papineau townships. If not stopped, we demand a plebiscite vote."

I have affixed my signature thereto in accordance with standing order 35(e).

CHILD CARE

Mr Mahoney: I wish to table a petition to the Honourable Zanana Akande, Minister of Community and Social Services, from 17 early childhood educators in Mississauga. They are protesting the minister's decision to provide funding to enhance the salaries of child care workers in non-profit day care centres only. This policy discriminates against workers in the commercial licensed day care centres in Ontario and they are demanding responses from the minister to their petition. I am affixing my signature as well.

Hon Miss Martel: May I ask for the consent of the House to revert back to motions, please?

The Speaker: Do we have unanimous consent to return to motions?

Agreed to.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Miss Martel moved that Mr Callahan and Mr Cordiano exchange places in the order of precedence for private members' public business.

Motion agreed to.

COMMITTEE SUBSTITUTION

Miss Martel moved that Mr Curling be substituted for Mr Beer on the select committee on Ontario in Confederation.

Motion agreed to.

1540

ORDERS OF THE DAY

ADVOCACY ACT, 1991

LOI DE 1991 SUR L'INTERVENTION

Ms Ziembra moved second reading of Bill 74, An Act respecting the Provision of Advocacy Services to Vulnerable Persons.

M^{me} Ziembra propose la deuxième lecture du projet de loi 74, Loi concernant la prestation de services d'intervenants en faveur des personnes vulnérables.

Hon Ms Ziembra: Just over six months ago I told members about this government's plan to protect the rights and wellbeing of vulnerable adults by introducing legislation that addresses the long-standing issues of advocacy, substitute decision-making and consent to health treatment.

On 18 April I presented for first reading the centrepiece of this legislative package, the Advocacy Act, which, for the first time, will give our vulnerable fellow citizens access to a province-wide system of non-legal advocacy that respects their human dignity and safeguards their fundamental human rights. I am here today to ask for the support of all members on second reading of Bill 74.

As I said in April, Ontario has approximately 600,000 citizens, including the frail elderly, who have moderate to severe disabilities. While the majority of these people may be quite capable of making their wishes known, a great many, because of their disabilities, cannot. Some of them have been able to rely on the assistance of caring and competent family members, friends or service providers in making decisions. This type of advocacy often works very well, but when it does not, the consequences for vulnerable adults, whose disabilities make them unable to protest or to protect themselves against abuse, neglect or exploitation, have too often been tragic.

After widespread consultation I came to believe that this problem could only be solved through concerted and systematic action. The proposed legislation is thorough and far-reaching. I further believe that it will usher in a new era of empowerment for vulnerable adults. The heart of the Advocacy Act is the creation of a province-wide system of non-legal advocacy that will assert and promote respect for the rights and dignity of vulnerable adults.

Instead of often being forced, in effect, to accept whatever treatment is meted out to them, vulnerable adults will have access to the services of trained advocates. The advocates will assist vulnerable adults to make their own decisions, communicate their wishes and exercise their rights on matters affecting their own lives in the same way as all of us here take for granted.

While advocates will provide information and perhaps make recommendations, they will in all cases abide by the wishes of the individuals they represent. The advocates will assist vulnerable adults to engage in mutual aid, form organizations to advance their interests and bring about changes on all levels—political, social, economic, legal and institutional.

The foundation of the system will be an advocacy commission which will operate at arm's length from government. A majority of the members of the commission

will be disabled or will have experienced a disability, illness or infirmity. The commission members will be selected through a process that, to my knowledge, is unprecedented and in which people with disabilities are assured of leading and decisive roles.

Grass-roots consumer organizations representing people with disabilities and senior citizens will be asked to nominate the members of the appointments advisory committee. The committee will develop criteria and procedures for the selection of commissioners and interview applicants. It will also be the committee's responsibility to submit a list of the most qualified candidates for my consideration and subsequent appointment by the Lieutenant Governor. Once appointed, the commission will determine how advocacy services should be delivered, establish qualifications for advocates and select and train staff. The commission will develop the policies, procedures and codes of conduct governing the service of advocates and establish procedures for monitoring and evaluating their performance.

Let me stress that advocacy services will be provided in a manner that is sensitive to the religion, culture and traditions of vulnerable adults. It is also our goal to ensure that aboriginal communities provide their own advocacy services whenever possible.

The commission will have the authority to make regulations and will play an active role in public education and awareness programs. To reinforce its connections with grass-roots organizations it will also have authority to enter into contractual agreements with or give grants to non-profit community programs which provide advocacy services on either a paid or voluntary basis.

Let me turn now to the three forms of advocacy that will be provided under the new system. Rights advocacy is specifically designed to help individuals who, because of an alleged mental incapacity, are at risk of losing control over some or all aspects of their lives. In such situations, the advocates' roles will be to advise vulnerable adults of their rights and options, to help them articulate their wishes and to ensure that they are not placed under unnecessary guardianship or subjected to medical treatment which they do not want.

Case advocacy comes into play when a vulnerable adult has a particular problem, such as obtaining appropriate health care or social services. Here the advocate's job is to uncover the problem and determine the person's wishes. The advocate will then speak on the individual's behalf to a person in authority about resolving the problem.

Systemic advocacy has enormous potential for changing the way in which vulnerable persons are treated. I believe that this level of advocacy is critically important and long overlooked. Its focus will be to uncover and change, wherever they are found, the institutionalized regulations, programs and practices that adversely affect vulnerable adults.

For example, an advocate working in a particular institution may encounter several individuals who are experiencing similar problems with their treatment. The advocate's function will be to investigate and to document the problems for the consideration of the Advocacy Com-

mission. The commissioners may then bring pressure to bear to see that the problems are corrected.

Let me emphasize that the government is prepared to act on the recommendations and advice of the commission. If advocates' inquiries reveal widespread or chronic abuse or neglect, then we are ready to initiate systemic changes, including new laws, practices and policies. This is social policy geared towards social change through the identification and resolution of problems at their source.

It is obvious that advocates must have legal authority to visit vulnerable adults and examine the records relating to their care. Under this act, advocates will be able to enter publicly funded or regulated entities such as institutions for people with disabilities, nursing homes, hospitals and municipal homes for the aged. With the consent of a vulnerable adult, they will be able to meet in privacy and without interference at any hour that is reasonable under the circumstances. With the individual's consent, they will also have access to the institution's records relating to that person.

Advocates will also be available to vulnerable adults who live in premises that are operated for remuneration. Although advocates will not have access to the records held by the owners of these premises, they will have full authority to visit vulnerable residents in privacy and at any reasonable time.

Advocates will certainly encounter vulnerable adults living in private homes who may want or could benefit from their services. Again, with the person's consent, they will be authorized to visit between the hours of 8 am and 8 pm.

May I stress that the advocates, together with the commissioners and their staff, will be sworn to protect the confidentiality of any and all information obtained from vulnerable adults.

I would like to tell members that the response we have received so far to the proposed advocacy legislation has been overwhelmingly positive. Naturally, concerns and questions have also been raised which deserve serious and careful attention. We are anxious to proceed on this and I hope members will send this bill to a standing committee of this Legislature for consultation with all interested groups and individuals.

I would like to conclude by saying there are quality programs providing advocacy services already in existence as well as informal, community-based support systems. Dismantling such programs is not the purpose of this legislation—quite the opposite. In fact, one of the act's major objectives is to encourage and stimulate informal support systems and community development.

We all know this demographic fact: Our population is aging. As the ranks of vulnerable adults generally grow larger, their needs are also becoming ever more diverse and complex. It is up to all of us to marshal our selective resources to address them.

It is my conviction that this act will go a very long way towards correcting some long-standing social injustices. It contains some strong measures and it will not be expensive to implement. In our view, however, we cannot afford to do anything less.

1550

Mr Cordiano: I rise to speak on Bill 74 and would like to congratulate the minister for bringing forward this very important legislation. I would add at this time that I am glad to see that the government of the day is setting forward initiatives we undertook when we were in government and is bringing those forward.

Bill 74 and the companion pieces of legislation are clearly the offspring of the Fram report and other reports which we initiated when we were in government. The total legislative package the government has put before us includes the proposed Substitute Decisions Act and the Consent to Treatment Act. This means a three-part combination, as was contemplated when we were considering these acts in totality.

The decision of the government to debate these bills separately, however, I must say at this point, leads us to question whether the government recognizes the interrelationship between these three acts and how important that is. The three acts are interwoven and I think it is necessary. It would have been better if we could have dealt with all three acts together. I have that as a major concern.

Bill 74 and the companion pieces of legislation should be discussed together so that we can look at what omissions there might be and what overlap there certainly needs to be between the three acts, because I think that in order to fully protect the people we are talking about here, it requires that substitute decision-making be in place while preserving the individual freedoms of those who require perhaps a little less interventionist approach. I point that out to the minister as basically the concern I have at the outset.

There are five areas of concern in particular that I have with the bill and I am going to deal with each of those.

First, one of the major concerns I have is the broadness of scope and the vagueness of definition. The minister—I heard her remarks—tried to be a little more specific with respect to some of the areas of the bill and some of the provisions.

Second, there is a concern that I have with balancing of rights within the bill.

Third, there is also a failure to establish a rights advocacy program in any detail.

Fourth, the bill does not speak to a variety of items which perhaps will be dealt with in regulations, but there are a great many matters to be dealt with, with regulations coming after the bill is passed, that I want to speak to with respect to specifics on the bill.

Finally, the minister made some remarks with respect to rights of entry and I want to deal with that as well.

Let me start off with the broadness of the scope of the legislation and the vagueness of the definition in the bill. Clearly the government has elected to provide advocacy services to the broadest population possible. Section 2 of the bill defines a vulnerable person as "a person who, because of mental or physical disability, illness or infirmity, whether temporary or permanent, has difficulty expressing or acting on his or her wishes or in ascertaining or exercising his or her rights." This definition is rather vague and it

is difficult to assess precisely what range of advocacy needs will have to be filled from that definition.

While there are certain common advocacy needs that all groups share, there are certainly specialized needs that other groups of people will require. For example, psychiatric patients will have to have particular expertise applied to their needs and their demands for services. For such groups and individuals, specialized advocacy will be needed in order to have the most effective services provided to them. I would emphasize to the minister that we do not see that in the provisions of the bill as they now stand. I hope that could be dealt with at some point in time later on.

In the area of balancing rights, there is a concern with respect to certain sections of the bill. Section 1, for example, sets out the mandate of the legislation, including among other things the empowerment of vulnerable persons and helping vulnerable persons make their own decisions and exercise their rights. Absent from this section is reference to recognition of the need to balance the desire to protect persons against neglect or abuse with the need to prevent undue interference with personal freedom.

Absent as well from the mandate of this bill is the concept of self-advocacy, which assists persons in learning how to solve their own problems, which may require prolonged guidance and additional support. I think that is quite a difficult undertaking which is not addressed in the bill and I have concerns about that.

These omissions are of vital importance to the actual as opposed to the conceptual empowerment of vulnerable persons and so in practical ways these concerns will have an immediate impact if they are not addressed. Furthermore, these rights are not entrenched in the bill and it would seem that the proposed legislation leans more heavily in favour of protecting the rights of the advocate as opposed to the rights of vulnerable persons to self-determination. This leads to concerns that vulnerable persons will not be adequately protected from undue intervention, well-meaning or otherwise, on the part of the advocates. I have a great deal of concern with respect to that. As a result, the bill lacks adequate safeguards to prevent the interference I am talking about from taking place.

The rights of families are also noticeably absent from the proposed legislation. While clause 7(1)(h) provides that the Advocacy Commission, as established by the bill, will "acknowledge, encourage and enhance individual, family and community support for the security and wellbeing of vulnerable persons," no mechanisms have been established to ensure that the family and individual participation is actually maintained or encouraged or that individual decision-making will be preserved to the extent possible. In fact, the bill seems to emphasize, as I said earlier, the rights of advocates over all else. Families therefore are relegated to a secondary role as service consumers when advocates have the potential to undermine the integrity of families in dealing with vulnerable persons. Therefore, I say balancing rights in this bill is of the utmost importance and, I think, needs to be re-examined.

Failure to establish a rights advocacy program is of concern to me as well. At best, there is uncertainty about

whether this bill specifically establishes a rights advocacy program which would make it mandatory to provide the services of rights advocates to persons who are the subject of guardianship application pursuant to the Substitute Decisions Act or other legislation which might affect their right to make decisions. If this bill does not provide more clearly the nature of the role and the mandate of advocates, then it must be concluded that this omission is a glaring one and of extreme importance.

I would also say, furthermore, that the fact the three bills—the Advocacy Act, the Substitute Decisions Act and the Consent to Treatment Act—are not going to be dealt with and debated in this House as a package makes it very difficult to evaluate the effect of this omission from Bill 74. I have a concern, as I expressed earlier, with respect to the vagueness, the definition of the advocate's role and, at this point, saying that there is an advocacy program that is missing here.

In deciding not to include the provision explicitly tying the role of the advocates to the processes set out in the Substitute Decisions Act, it appears that the drafting of this bill as vaguely as possible would enable the government to present a piece of legislation that covers a great range of philosophical bases at once. I hope that is not the case. I hope that the real desire here is to see to it that vulnerable persons get the best and most effective service possible through the Advocacy Act, but the stroke is broad in its sweep and I have a concern with respect to the vagueness.

In drafting the legislation in such a manner then, the need to resort to clear and enforceable duties is removed and issues that were perceived by the Fram report as crucial are thus de-emphasized in this Advocacy Act as it is presented today. Again, vagueness in terms of the way in which we are dealing with the three acts and the nature of the interrelationship between the three acts is overlooked by the failure to bring the three acts before the Legislature to be debated and discussed thoroughly.

1600

I think it would be helpful in committee, since the bill is going to committee, to examine this a little further and to clarify those aspects of the bill which omit the relationship between the Substitute Decisions Act and the need for rights' advocates to be concerned about their vulnerable person, the person they are advocating on behalf of, becoming the subject of a guardianship application under the Substitute Decisions Act. That is a major concern with that section.

Next is regulations. Sections 5 through 13 provide for the establishment of the Advocacy Commission and the procedure for making appointments of members and the chair. There are many concerns that are left to be decided by regulation in this act, as I said from the outset.

Take, for example, section 7, which refers in general terms to the provision of advocacy services to vulnerable persons. It is a glaring example of what I mean. The bill establishes no actual mechanisms for the provision of such services, nor does it outline the exact nature of the services to be provided. Absent as well is a discussion of such options as mediation and other non-adversarial dispute

resolution techniques that could have been provided for in this bill.

The bill also focuses to a great extent on the enforcement of the rights of advocates to gain access to persons, places and records. I will say more about that in a moment. However, the bill does not contemplate dispute resolution involving all the partners in care giving, be they the family, friends, facility operators and/or government bureaucracies.

In addition, the bill also speaks in general terms about programs of public education and information. It does not discuss in detail, however, the sorts of procedures that may be used by vulnerable persons who wish to access an advocate. There is once again vagueness, imprecision, about how a person goes about accessing the services of an advocate, and while that may be provided for in regulations, we will not have a chance to discuss that during this debate. Hopefully we will when it is brought to committee.

Rights of entry is the last concern that I have under that major heading. As mentioned earlier, Bill 74 devotes a great deal of attention to the right of entry of advocates to facilities, to be defined by regulation, when providing advocacy services to vulnerable persons. Section 19 provides that advocates may enter a facility without a warrant and at any time reasonable, given the circumstances. Section 20 authorizes a justice of the peace to issue a warrant for entry if satisfied that the advocate has been prevented from meeting with a vulnerable person there. Section 22 also speaks to the right of entry, which permits a warrant to be issued for entry to the premises if (a) the advocate has reasonable grounds to believe that there is a vulnerable person on the premises who wants or could benefit from the services of an advocate, and (b) the advocate has been prevented from entering the premises or from meeting with a vulnerable person there.

Clause 22(1)(a) is very broad in scope. There is no definition of "premises." It is too vague. We need to further define that, because in effect, with this vagueness, what could conceivably happen is that this would allow advocates to enter into private homes and dwellings on the barest of pretexts, particularly as the criteria for entry are totally subjective. Consequently, you might have a great deal of trouble with that whole section.

Moreover, the provision would appear to be rather inconsistent with the section of the bill which stipulates that one of the functions of the Advocacy Commission is to enhance individual and family participation. This would seem to rather undermine that whole concept. The concern I have is that if this section is carried too far in the extreme, the integrity of family decision-making and individual freedom could be rather seriously undermined.

I say to the minister, who is sitting in the House, those five major concerns are the areas I would like to deal with when this bill does go to committee.

In conclusion, advocacy and guardianship have long been issues of concern in this province. The previous Liberal government recognized that through the many years of hard work that went into these reports that were made over the previous years we have come to the point where this seems to have gotten a unanimous approval from the House in terms of the principle of the bill. I feel pleased

that we are at this point discussing the Advocacy Act and would hope that we can deal with the matters in committee at some speedy time in the future.

I welcome this legislation, but I feel it is necessary to consider—to have considered, and we are not going to be able to do that—all three pieces of legislation together in order to ensure, as I said earlier, that there are no gaps and that the omissions that were made could be looked at with a view to corrections being made some time during committee. I do not know if that is going to be possible with the way in which we are proceeding.

I hope that there will be time and indeed an occasion to look at the other bills, which I understand will be forthcoming in the near future, if I am not mistaken. We will have to deal with it at that point, but these bills were meant to be part of a comprehensive package in which each facilitates and complements the others. Now we are having to deal with them singly, which is going to be rather difficult.

The scope of the legislation is extremely broad, which raises concerns regarding service inadequacies, and in the worst case, potential abuses of the authority granted to advocates pursuant to the legislation.

As well, the bill seems to favour the rights of advocates to advocate over the rights of vulnerable persons and their families to retain some individual decision-making ability, relegating families to a secondary role. Families would be indispensable, I think, as partners in the decision-making process, and they have not been given a clear role in the bill as it stands now.

The bill also creates the potential for the undermining of the integrity of families by well-meaning but possibly misguided advocates by failing to create safeguards against what would be seen as unwarranted interference.

Finally, as I pointed out earlier, Bill 74 leaves the bulk of the details pertaining to specific mechanisms for the implementation of its goals to regulations, and that will not be done in this Legislature.

A complaint mechanism for the public and the establishment of a rights advocacy program or mechanisms to ensure that family and individuals' participation are actually maintained or encouraged all appear to be absent from this bill. I would ask the minister to consider a complaint mechanism for the public.

The time for advocacy and guardianship legislation in Ontario has certainly come and I think the legislation before us gives us an opportunity to seriously consider the implications of the legislation that is proposed. I think to the extent possible we must include the other bills that the minister will be bringing forward at a future date, not too long afterward, I hope, because it will not give us an opportunity to consider all three bills as they should have been considered, together. As I said from the outset, I think that is a rather glaring omission and that is a real problem, but I hope that the minister understands that and I hope she will bring in the other pieces of legislation to follow at some future point not too far in the distance. I look forward to further debate on this matter.

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Hon Ms Ziemba: I just have a few comments. I am very pleased that my colleague has understood how important the Advocacy Act is, because it really is. We congratulate two previous governments, because there were actually two previous reports in the last 15 years that addressed the need for an Advocacy Act. Having come from the community, we worried and we wondered why they were put on the shelves and why it took 15 years to finally bring them off the shelves and to address the needs of vulnerable adults.

There are a couple of comments I do want to make. This is an extremely important bill. We felt these acts were so extremely important that we did want to separate them, because we felt that all three worked together and they certainly are integral to each other. The Advocacy Act had to be put in place and discussed in its context so that we could have a full discussion.

The other two pieces of legislation had their first reading last week, and we hope, with consent from opposition parties, we can bring them forth very quickly for second reading, because the member is right, they are very important. We had wanted to introduce them earlier, but unfortunately things that were happening in the House—

Mr Jackson: Now, come on.

Hon Ms Ziemba: I am just saying things that happened in the House prevented us from doing so.

I also want to talk about a few other things that the member addressed. I take them very seriously. I think we do have to have a full discussion because it is such a very important act.

I want to make it very clear that advocates are not expressing their wishes; they are expressing the wishes of vulnerable adults. They are not overriding a family; they are just proceeding with instructions from the vulnerable adult and making sure that the vulnerable adult's rights and wishes are entertained. We do fully realize that family and friends have played a very important role and will continue to do so. Unfortunately, not all vulnerable adults have those family and friends to assist them, and that is our intention.

Mrs Caplan: I would like to congratulate my colleague the member for Lawrence for what I believe is a very comprehensive response on this important bill of advocacy. The point he makes about this being part of a package which includes guardianship and consent I think is a very important one. Certainly all of the members of our caucus for some time have had concerns about an appropriate response.

The minister is quite correct when she says there have been numerous reports and studies pointing out the difficulty, the alternatives as models ensuring that the people we want to safeguard, those who are vulnerable and frail, have their opportunity through an advocate, as well as ensuring that family members are not cut out of that process and that in fact we are all sensitive to the changes that are occurring within our society. We do not want to just see a large bureaucratic system. We do not want to see this tied up in the courts. The whole purpose of an Advocacy Act is

to be able to respond to those vulnerable adults in need of protection and to assist them in as sensitive, caring and expeditious a way as possible.

I think my colleague the member for Lawrence captured many of the concerns we have about ensuring that this legislation achieves those goals and objectives. I notice that the legislation that has been presented is very similar to that which was considered by members of this caucus over a period of time. There are some areas where we believe greater debate is needed, and during the process of the legislative hearings I think there will be an opportunity to ensure that people are protected.

Mr Cordiano: I just want to respond to the minister's remarks in response to my remarks and simply say that, as my colleague the member for Oriole has put it, once again I would reiterate our position in suggesting to the minister that it is not just an oversight with respect to the introduction of the three bills in unison.

However, I think that is water under the bridge. As we do not have the three pieces of legislation before us to deal with in unison, we must deal with the situation as it is. The concern we have is that with the omissions made with respect to the Advocacy Act, it becomes rather difficult to pinpoint just where those omissions might be looked after in the other pieces of legislation which will be forthcoming, which were introduced some time ago by the minister.

I look forward to that and look forward to an opportunity to see where that interrelationship exists and where those omissions are gravest. We will have to deal with those in the best way possible when we have legislative hearings in the standing committee, wherever that may be. At that point we can see if there are some difficulties with respect to the other bills.

Again, families and the importance of families I think should not be overruled. I was suggesting simply that advocates are there for the benefit of vulnerable persons, but there also is a great deal of sensitivity that must be emphasized with respect to the role of advocates not to be paternalistic.

Mr Jackson: I am pleased to be able to respond to Bill 74. I would like also to indicate that I appreciated listening to the comments of the member for Lawrence and can concur with several of the points he raised during this opening debate on second reading.

I would like not to go over some of those but rather to raise a couple of concerns that are quite obvious to some in this province, which a growing chorus of those who currently provide advocacy services and services for vulnerable adults in this province have begun to indicate. I am referring, of course, to the fact that this is not a stand-alone piece of legislation. There are in fact several types of legislation, inquiries, commissions that are occurring concurrently in this province at this time. When we review this list, I think we will realize at the end of it that what is really called for is some sort of policy framework so we can co-ordinate each and every one of these fine, timely and appropriate initiatives for this province.

However, it is fair to say that when we examine this lengthy list of commissions that are off running around the province advocating for various groups, we will realize we

cannot do full service to what we may refer to as any vulnerable citizen in this province if we do not do justice to co-ordinating these initiatives.

Let's look at this list very briefly. We have the Substitute Decisions Act, which was tabled the week of 25 May, last week; we have the Consent to Treatment Act, which has also been referred to in this debate; we have this Bill 74, An Act respecting the Provision of Advocacy Services for Vulnerable Persons; we have the living will and another form of decision-making in private member's Bill 7 and Bill 8, now before the standing committee on administration of justice, an initiative by my colleague the member for Carleton.

We have the Lightman commission running around the province doing public hearings with respect to regulating residential care settings. We know how vulnerable some of those people are with respect to the levels of care and certain guarantees of levels of care and certain protections that may be required in those settings.

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We know there is a commission investigating the unfortunate deaths at Brantwood, a provincially run institution for members of the handicapped community, those children and young adults from the Ontario Association for Community Living and from the People First organization. We know that commission of inquiry has not even given standing to those members of the handicapped community before the inquiry.

We have a seventh commission, the Weisstub commission, which completed its work in September and has never had any response, formally or informally, to my knowledge, from the new government as to substitute decision-making for people who are declared mentally incompetent. The member for Lawrence made reference to psychiatric cases. The government is silent in this whole area.

If we appreciate who we are trying to serve in Bill 74, we could give a rather long list of vulnerable persons over the age of 16 who are not going to be eligible because they should be covered in some other form of legislation.

I am sure that is not the only list, but my list comes to seven different acts or commissions that are currently being studied, examined or investigated in this province, and this is occurring concurrently.

That leads me to my second concern, which is the cost implications. It would be irresponsible for any member of this House not to have examined this issue without having even some general knowledge of what the approximate costs would be. I note, and I am sure the minister will comment on, the fine work done by Father Sean O'Sullivan in his report, but even he could not see his way clear to providing some cost estimates.

With all the money this government spends in this province, surely there should be some money spent to determine what our costs will be and what costs, if any, could run at large.

I have only put on the record that which is obvious, that we are about to embark upon a bill—which will go for public hearings, so it will not occur tomorrow—but nowhere are we seeing any reference to what it will cost. The

budget from the Treasurer was silent on this issue. That does not mean the Treasurer does not have the money in there; it just means he did not use the occasion of the budget to tell us.

I would hope the minister could help enlighten us on whether she has had some discussion with the Treasurer, because that would give us an indication of whether we are looking at implementation within this fiscal year or whether we are looking at implementation in fiscal year 1992-93. That would be very helpful to members of the House.

I know the minister personally has a certain anxiety about getting on with this bill, and I understand that. However, the questions of co-ordination and costing I think are very valid ones. Taxpayers are asking questions about the cost, and vulnerable adults, those who are institutionalized, the handicapped community, seniors, frail elderly, these people are all asking, "How are you co-ordinating?"

Three or four years ago the big buzzword in this province was "one-stop access." We embarked on some examinations. As the minister is the minister responsible for senior citizens' affairs, she will be aware that programs initiated by the Liberal government had to be stopped because of the cost implications. With the pilot projects for seniors and one-stop access, we had the examination but we never got beyond that.

Surely we can take one step back and look at that example and ask ourselves whether we are creating a greater bureaucracy, all in the name of advocacy, whether we are running the risk of potentially offering three, four or five different doors for people to queue up at.

It is why I raise the issue of co-ordination, because if each of these bills and each of these various inquiries comes to the same conclusion, that there should be a separate panel of advocacy, a separate panel for investigations, all of what I have just said, no one has brought up the issue that we have an Ombudsman who is currently running around the province telling us she would like to expand her mandate.

I want to put on the record my greatest concern, that we should be able to discuss within \$5 million or \$10 million what the cost of this province-wide program is going to be. That should include the training of these individuals to ensure the appropriate selection. I notice the bill speaks at length about the types of person by gender, ethnic background, language, but we are also looking for someone who has the sensitivity and the training and the understanding of what it is like for a vulnerable person if he or she is going to become his advocate.

I want to suggest that there are a couple of concerns being expressed that this bill does not deal with the psychiatric community. The Canadian Mental Health Association continues to express concern that we are not bringing forward legislation which helps with a definition of mental competency: Are they less important in this province, those people with mental illness, that they should not have their own right to parallel protection and advocacy? I certainly feel they should, and that it is timely. I know the former member for Riverdale, who is now a special

adviser to the Premier, shares those concerns on behalf of that community.

I would also like to raise concerns from the Ontario Association for Community Living. On 30 May, last Friday, they issued a press statement that although they are very supportive of the general direction of the minister's legislation and Bill 74, they have expressed grave concerns about the Substitute Decisions Act and the Consent to Treatment Act. In their press release, they make a very clear statement that they feel this legislation will conflict and their members will be caught in between, that somehow they will suffer or be less served on this sensitive issue because these pieces of legislation have within them a tension which pulls them apart and cannot adequately serve their members.

The two pieces of legislation proposed by the Attorney General and the Minister of Health will "create two classes of people who are vulnerable because of their disabilities," said Audrey Cole, chair of the Ontario Association for Community Living's task force on advocacy and guardianship, "those who are supported to retain their full human and legal rights as citizens and those who have those rights formally removed from them because of the severity of their disability."

So the community generally is now starting to see that the lack of co-ordination between these various pieces of legislation—incidentally, for members of the House, many of these bills will go to different committees, so we may not even have the same members of this chamber, represented by our affiliations in this House, sitting in committees consistently so that we can pull these pieces together and identify them. We will not have the same clerks, we will not have the same researchers, we may have the same deputants, but we may not have the same members of the Legislature so that we can pull these pieces of legislation together.

I very much like the member for Lawrence's comment about ADR, alternative dispute resolution. I think it is a most appropriate means of mediation. In the whole policy area of social advancement and advocacy there is some exciting work going on in several jurisdictions in the United States, which the committee of the Legislature two years ago had the privilege of witnessing and experiencing by deputations from active participants in those programs.

I have mentioned as well that the role for the Ombudsman has not been mentioned and how that will adjust itself in the context of these initiatives.

Finally, I want to comment that a couple of years ago the now Minister of Housing and I sat on a committee dealing with amendments to the Nursing Homes Act and we developed—

Mrs Caplan: That was then; this is now.

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Mr Jackson: The member for Oriole also participated in those discussions. We had two bills dealing with amendments to the Nursing Homes Act. Within that was a nursing home bill of rights. It was of concern to me at the time that we had one set of rights for nursing home residents, but we did not have the same access to rights and a clear

definition of those rights for those who were in provincial institutions, homes for the aged, which is the parallel and similar level of care for seniors in this province.

At that time, both the government of the day and the New Democratic Party—it was the third party at the time—refused to support my amendment, to extend a bill of rights to all seniors in this province. I am pleased this bill moves more closely to a definition of "advocacy."

I am concerned that in this context it may remove the participation of family members. That had been referred to earlier. I too would want to ensure that we are very clear on how this aspect of the bill will operate.

When I had occasion to witness the Lightman commission hearings in Hamilton, I was concerned when a member of the commission responded to the question about the need for a bill of rights for nursing home residents and its full implementation, whether it was working and whether there should be a parallel bill of rights. The individual on the Lightman commission felt that a bill of rights would not work because there would be fear of reprisal from staff members to those family members who had raised concerns and were pressing their point about a level of care or, in other words, advocating. I think we should be very careful to realize that, even within the various commissions operating, some concerns are being raised on the whole issue of whether or not the process of advocacy really will work. That is why the most important point I want to stress in this part of the debate is simply that we should further co-ordinate the seven different types of commissions and inquiries that are looking at the very broad and general issue of advocacy and protection of vulnerable citizens in our community.

I have made reference to the Ontario Association for Community Living. I want to put on the record their very strong concerns. I respect that the minister is a junior minister in a hurry to get on with this bill and I support her in that regard. However, there are to be public hearings on this bill. In a conversation we had, she indicated that she also might like to have hearings. Perhaps she might clarify that point, because it fell upon me as rather strange that a minister would have a legislative committee operating and then have her own hearings. It confused me at the time we discussed it. I respect her right to do it, but I think that with the seven different commissions and committees of the Legislature and various acts under review, I do not know how having two with respect to Bill 74 would best serve a speedy conclusion to an amended act that could then return to this House for all members' final amendment and support.

I thank the members of the House for listening to the concerns I wished to put on the record and look forward to participating in the public hearings on this sensitive, timely and appropriate piece of legislation.

Hon Ms Ziemba: I appreciate the comments made by the member of the third party and appreciate the fact that he recognizes that this is a very important bill. I want to make reference to a couple of comments he made and say very clearly that if he looks in the act, the act does give "mental disability" as a definition. It is in section 2.

Also, subsection 15(1) refers to organizations that represent persons with psychiatric disabilities, so they will certainly be included and well looked after. In clause 36(d) regulations can be developed to provide advocates for the mentally incompetent. There is certainly room to help those people he had concern with, and I share his concerns.

Certainly we have to look at the fact of empowerment for vulnerable adults, in that they will be represented on the commission and on the advisory committee, again a first. Rather than people making decisions, these will be decisions made by vulnerable adults, which is again a very important fact.

It was very clear in my 20 December statement that in this particular year, 1991-92, there would be a \$1-million cost. When we move the commission into full speed, in 1992-93 we are looking at a cost of approximately \$23 million. We do not feel that is an overspending. We feel it is extremely important money spent on people who need to be well served and should have their rights respected.

Very clearly we feel that this is a centrepiece for all the other commissions working, that advocates will be speaking on behalf of the vulnerable adults. When it comes to guardianship, as mentioned in my colleague's remarks, advocates certainly will be there to help them in that decision of guardianship rather than being left out in the cold, as has been happening in the past.

Mrs Caplan: When we are discussing this very important concept of advocacy, I believe the government's presentation of this bill, separate from the other pieces which include guardianship and consent, makes it extremely important that we look at the definition in the bill.

One of the concerns I would point out to the minister is that the vagueness of the definition of "vulnerable person" in this piece of legislation makes it very difficult to assess precisely what range of advocacy needs will have to be fulfilled by the framework and the system the minister is putting in place.

I believe there are common advocacy needs which will be shared by all, but some groups will have certain specialized needs. Under the definition in this act it is going to be very difficult to understand that precisely, because of the vagueness that this particular definition brings forth.

I also point out that the scope is quite broad. I believe it is fair to say that the \$1 million for year one will just begin to put things in place. In year two, I believe the estimate of \$23 million could well be an understatement. When this program is fully mature in a few years, I believe the cost will be much more significant and that we will see quite a large bureaucracy in place.

If that achieves the goals of responding in a caring way to those in need of advocacy services, then I believe we will all applaud this legislation. If we find instead that we have just created a very large bureaucracy which is not responding to the real needs, then I think we will all have real concern.

Mr Cousens: I would like to acknowledge with great appreciation the remarks by my colleague the member for Burlington South. As one who is critic for the Ministry of Community and Social Services and senior citizens' affairs

in our party, he has to bring a special focus that understands their needs. I know that my friend the member for Mississauga South will be doing the same, as her portfolios overlap.

I appreciate in particular a couple of things the member for Burlington South raised. One has to do with the co-ordination of all these services and how it is going to be brought about. I think that had to be said, and he said it well.

The second aspect—I really think it takes a certain amount of courage to say it—is when we start talking about the costing of these things. One of the components of the equation certainly is just how much it will cost. The fact that the member for Burlington South has the sense of urgency to say, "Look, anything you're going to do has to somehow net out as to what it's going to cost to do it," is an important thing.

It is important legislation. We all know it is going to be a while before we work out the kinks and have something that is going to meet the needs of everybody, but I just wanted to make no criticisms today of the member for Burlington South. I thought he had the right thing to say.

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Mr Bisson: I would just like to add a couple of points to what the member has said. I applaud, first of all, the effort of the House in coming together and discussing this and bringing good points forward on this very important bill. It is one that I think is probably very long overdue in this province and in the country, because it is my understanding that it is basically the only one of its kind in Canada.

The point I would like to make is that I agree you have to have some concern in regard to how much the act will cost and how much it will cost to administer. I think, as with any responsible government, it is something that the government will want to look at. But I would just like to make the point that when we are talking basically about access to democracy, access to services that we as a society provide to our citizens, I think we have to be very careful when we talk about cost.

What a free, democratic society is all about is making sure that all individuals within it, no matter what their situation might be—white, black, the disabled or a person who needs services under such an act—get the services. If we start talking solely about costs, I think it is a disservice to our society and sometimes a disservice to the people within it in regard to accessing those services that we are able to access, as mainstream society, without any difficulty.

I understand what the member is saying. I know he says it out of conviction and I know he says it not maliciously. I would just like to bring the point that yes, we need to be concerned about costs; we need to be concerned how much something like this costs in the end. But I think we also need to look at the human element.

I remember a gentleman who appeared before our select committee on Ontario in Confederation in North Bay. He came and talked as first hand about what had happened to him as an individual, not being able to be understood in regard to what his frustrations were and not being able to

access particular services because he was under the trusteeship of his guardian. He talked about just what that meant to him. I think this act speaks to the human element in this whole situation, recognizing that we as human beings in society have access, and this is what the act is all about.

Mr Cordiano: Very quickly, I would just like to say that cost is a consideration, whether or not you are getting value for money, and I think value for money is the ultimate goal that has to be put forward here. That is one thing. The other thing is that I failed to ask the minister, in my remarks with respect to conflict of interest, about the role of the advocate vis-à-vis the role of the commission and whether in fact the commission will act as a kind of watchdog with respect to the advocates who are out there who may or may not find themselves in a difficult situation with the family of the vulnerable persons, etc.

Mr Malkowski: I feel especially privileged and honoured today to be able to participate in support of Bill 74, which is An Act respecting the Provision of Advocacy Services to Vulnerable Persons. For many years, vulnerable adults as a group traditionally have been represented by their families or service providers or professionals, and society tends to look at these people as not being part of society. They have been marginalized. What do we do with these people? Traditionally, we have stuck them in institutions.

I think what is missing for vulnerable persons is the opportunity to share their perspective or their viewpoint in the decision-making process. Often, they are not informed. It is important that family members, who also often have never received the appropriate information in terms of the medical rights and choices and what these mean to that person's life—in society as a resource, I think, things are limited in terms of information for family members. Often there has been a lot of oppression. People feel under the gun to make decisions and do not make fully informed decisions, and this is certainly sometimes at the expense of the vulnerable person. People, especially within the family, often may think, "The advice we've received is to put this person in an institution," and that tends to be what happens.

What gets neglected is that the vulnerable person has his own mind, his own talents, his own competence and abilities. I think it has been very frustrating for people, especially if they have been in this sort of Berlin Wall situation where they are hemmed in and cannot speak for themselves and cannot get out to exercise their democratic rights.

I think for a very long time, until the Liberal government—and I really wish to applaud the previous Liberal administration for its very brave beginnings in selecting Father Sean O'Sullivan. That was in the 1980s. In 1987 his report talked about the importance of the recognition that vulnerable people have the right to participate in the decision-making process for things that affect their lives. That was, I think, one of the first times in this society we had ever seen something proactive like that. So that was a first step.

I think it is important that disabled people, senior citizens and vulnerable adults get together to be able to

express their own opinions and to make some decisions. I think one thing vulnerable people really value, and their identity, is the right to be free, autonomous people, to have the qualifications to decide to be independent or where to live, as well as self-esteem.

It is important for all of us as a society to take a look at that and say, "What are the needs of these people?" It is time that we empower these individuals, empower this group of people who have yet to share with us their perspective of their rights and where their lives are going, empower them so that they can feel worth while in society. This advocacy legislation, goes a long way in empowering those individuals. It guarantees that they get full information to become autonomous individuals, to make the choices that they want with the help of their families, with the help of medical professionals and service providers. It guarantees that all these people can then become better informed. I think this is very important.

The four principles that can make empowerment happen are respect, certainly respecting the rights of disabled people; the autonomy of an individual; self-esteem, and the dignity of a person. I think this is important and it goes a long way in helping a person in terms of respecting and protecting that person's place in society.

This kind of legislation, which is one of the first of its kind and a model across Canada, is long overdue. It is important that we be proud of this legislation. I would also like to remind all members of the House today that it is time now to pay attention to vulnerable adults, to what they have to say in their respect. It is important not to take away their rights or take away control of the decision-making, but to empower these people so that they have the right to make fully informed decisions, and then to follow their instructions. I think we should be very proud of this.

I would also like to respond to some of the members, such as the member for Lawrence, who said that it was important to emphasize attention on the family members. Of course I agree with the member when he says that families have an important role to play. However, part of the problem has been that the wishes of the vulnerable person and the wishes of the family sometimes conflict. I think we have a duty as a society to make sure that the vulnerable person's wishes are heard and spoken to and addressed by the family so that vulnerable people are no longer taken advantage of or ignored.

The member for Burlington South talked a little bit about the cost. My concern would be that if you look at the needs of vulnerable persons, you cannot put a cost on that. It is very, very important to identify the needs and supports that these people are going to require to be full participants in society. So I strongly support Bill 74 that would give the rights of an advocate to empower vulnerable persons, where they can learn more about the things that are going to affect their lives. I think this is one way to break down the walls and the barriers that have so long stood in the way of their being responsible, equal participants in society.

I think our goal here is autonomy. The medical professions and service providers will work very closely with us in the best interests of vulnerable persons, especially with this advocacy legislation. We can finally give to vulnerable

people justice and equality and the recognition of their self-esteem, their dignity and their freedom of choice. It is time to make that change, time to let people participate fully.

Mrs Caplan: The member has made, I think, a very important point around the concept within the legislation of empowerment of vulnerable persons. The concern I have is that, as I said previously, this part of the act is extremely vague, rhetorical in nature and in the preamble of the legislation does not add to the substance within the legislation to ensure that is what will be the effect of this legislation.

1650

It is going to be very important, as this legislation moves forward, that it does what it is purporting to do, that is does not just establish a large bureaucracy but has in place a framework for advocacy which will empower individuals who are able to make known their wishes; that what we end up with is a piece of legislation which will protect persons against neglect or abuse and will also prevent undue interference with their personal freedoms.

In the preamble for this legislation, all I see is some very vague rhetoric that espouses this goal. The bill does not contain any concept of self-advocacy, which would assist individuals to learn how to solve their own problems, which is really part of empowering individuals with knowledge. I would state again that one of the concerns I have with the approach taken by the socialist philosophies of the NDP is that we would see quite a paternalistic scheme through this form of advocacy.

Again, we have to express these concerns through the legislative process. In general I think the ideas are good. We just want to make sure the legislation will work.

Mr Malkowski: I wish to respond to the comment from the member for Oriole. First of all, I tend to disagree. This is not a paternalistic plan at all; I strongly disagree with her comment that it is paternalistic. The point is that we are a model, and from my own personal experience I can talk about being in institutions and seeing people who have been labelled mentally retarded and who are stuck in these institutions.

One way the authorities talk about preserving this paternalism is to say, "Well, it has been signed by the family members." I think it is important that these persons have the ability to function and to be autonomous if they wish to live in the community in a group home. Family members often say, "No way, we won't have it," and that person is then left and stuck in that institution.

Where is the paternalism by empowering this person? This person has a right to make the decision to be independent if he or she wishes to move out into the community. I think this legislation will help people get out of institutions, and I think it is in the best interests and the rights of these individuals that this legislation is passed.

This is not a paternalistic plan; this is not paternalistic legislation. Our policy and our model says empower individuals, yes, with instructions from professionals who are there to advise, but so that they can make fully informed decisions that are going to affect their lives. That is part of

empowerment, not paternalism, for someone to become independent, to be an autonomous individual.

Mr Mahoney: It is my pleasure to join the debate in the House today to express my general support of the legislation. But that should not come as a surprise to members opposite since the philosophy was first drafted by the former Liberal government, which has been admitted in this House. So we would have some difficulty in not supporting the general thrust and philosophy that the minister is following.

In fact, the minister will know that this first appeared as a cabinet submission in May 1990 to the former government, and the submission recommended a number of very important initiatives. It recommended repealing the Mental Incompetency Act, and the enactment in its place of a Substitute Decisions Act. That act is not on the floor today; it is not being debated today. Among other initiatives, it recommended a streamlined guardianship process, the expansion of the public trustee to the office of the public guardian and trustee, powers of attorney for personal care and partial guardianship as well as full guardianship.

Three basic acts were brought forward in the submission to cabinet in May 1990. There was this act, the Advocacy Act which we are discussing today, the Substitute Decisions Act and the Consent to Treatment Act. Just by their titles, the very nature of those pieces of legislation would seem to indicate that they are indeed married to one another and at least are related in a very direct sense.

We hoped there would have been an opportunity to debate these three pieces of legislation in unison, recognizing the significant outfall of one from the other and how they are tied together. If you consider the Consent to Treatment Act; if you take the issue that the former speaker was raising about paternalism, while the requirement to establish some form of advocate or agency to protect people who have no other alternative available to them, where their voices cannot be heard, their viewpoints will not be listened to, very clearly that is a position I support. The concern I have, however, is that the government can use the term "paternalistic" or it can use the term "bureaucratic" if it prefers, but the reality is that the position of the family has the potential to be undermined by some super-advocate who is going to come along as a Father Knows Best image and simply announce that this decision will be taken out of the hands of the family.

I found it interesting that one of the government speakers said—and this is almost a quote, as close as I can recall—that traditionally, people in this category have been represented by family or by professionals in that field who may not have the best interests of that individual, that disabled adult, at heart or in mind. We are being led to believe that Big Brother government is going to take over that role and Big Brother government, with the socialist bent, knows best what is best for these people. The family could be very easily relegated to a minor position.

I think that is of extreme concern to anyone who has had to experience, as I have and many of us have, the difficulties of caring for a loved one who has perhaps suffered a stroke or some other debilitating illness and is unable to tell us, clearly at least, what it is he or she wants.

It is a very difficult thing. If you get into a large family where there perhaps may be disputes, I can certainly see the need to have some form of dispute-settlement mechanism in place. It frightens me somewhat, though, that the role of the advocate under this act could in some way come down with a hammer and displace the family from what clearly is its rightful, although difficult, position that it must be responsible.

On the issue of cost, I talk to a lot of seniors' groups and I get a clear message from seniors that says they really do not want just to have money thrown at them. They have worked hard to help build this country, this province and the particular community to the point where there is a certain fiscal responsibility. What they want to see is the government, any government, implement programs where seniors can help themselves, where families can help the seniors and perhaps get a hand up by the government instead of a handout. That is the philosophy, and the seniors say it more than anybody, because they understand what it is like to struggle for a dollar, to raise a family, and

the difficulties involved there. They do not want to see just frivolous spending.

I am a little concerned because this government has already clearly shown it has a propensity to totally disregard the value of a dollar, to totally disregard the—

Interjection.

1700

Mr Mahoney: Well, I think it is true that a \$9.7-billion deficit would show just a total lack of respect or concern for any kind of fiscal responsibility. Seniors are very concerned about that. While they are very concerned about taking care of their loved ones who may be incapacitated in one way or another, I think they also want this government to be responsible.

We have been waiting and waiting patiently. The member for Scarborough-Agincourt has stood up on numerous occasions in his role as health critic, and he has asked where the long-term-care policy is. I think that ties in, in many ways, because if we can take care of our people properly, if we can take care of them with a long-range plan from the days—

Interjections.

Mr Mahoney: What is the problem? Members over there do not think it is necessary to have long-term care? That is the whole attitude of this government. Do not talk to me about five years. This is our legislation that this government brought in, and it is monkeying around with the terms and the definitions, and it is changing things and making it vague instead of coming in with some really hard-hitting legislation that is truly going to protect the people who need protecting. This was a submission that came as a result of the efforts of the former government, and the members know it.

I have gone through this budget, and it is very disconcerting. I have gone through this budget, and I have looked just in the "Highlights" section. I did not go through looking for the words "senior citizens" or "disabled folks" in the overall budget. I said: "I will be fair. Let me just take

the 'Highlights' and see if I can find anything in here that refers to those individuals."

I think the Treasurer has ignored this particular sector. This government has given the responsibility to a minister who, as I have said many times, is laden with responsibilities, who is overworked, who has tremendous difficulties in paying proper attention to the areas that need attention.

As I said before, the concept of a legislative package—
Interjections.

Mr Mahoney: There is some chirping going on over there. I take it my remarks must be hitting home, as they are creating some unrest from the far reaches of the back bench.

We were hopeful that there would have been an attempt to bring in a comprehensive package, and I still do not understand why that could not take place. As I said before, as to the Advocacy Act, the Substitute Decisions Act and the Consent to Treatment bill, no one in this legislature would say that we do not need to address this problem. No one in this House, in my view, would say that he was not in support of the general thrust of the concept that this minister, with all her other responsibilities, is attempting to wrestle with. We support that. Our concern is that the minister is not going far enough in addressing it as a comprehensive package with these other items being in place.

We are extremely concerned about the philosophical bent of the NDP socialist government to be less than concerned about interference with individual civil liberties. We are extremely concerned that this government has at least four more years in which to implement this legislation, at which time it could do serious damage to the civil liberties not only of the people who require the care they are attempting to put forward under this legislation, but also the civil liberties of their families.

Imagine being the son or daughter of an elderly, frail, incapacitated individual. You have made certain decisions with regard to his or her care, and you have agonized over this. You have gone through your own personal hell, and so have they in attempting to communicate what they need. You have met with the professionals that the member for York East referred to, who perhaps in his opinion are inappropriately involved in this, I do not know if that is what he meant by that. But you have met with all the health professionals and the care givers and the people and the counselling agencies and whatever is involved in your particular community, and you have come to a decision that a certain level of care for mom or dad or aunt or uncle is appropriate, and you are going to help provide it.

I would hope that this government does not have some intent to come along and tell you, as the son or daughter, that it is going to change that. I would hope that is not the case. I frankly do not trust this government; I do not trust it in the slightest. I am very concerned that its holier than thou, tight halo attitude is going to rub off into an area where it, or some bureaucrat called an "advocate," is going to make a decision that the government knows better than all of the professionals who have been involved, or that it knows better than the family members who have had to

suffer and agonize, and it is simply going to come through and whitewash it and tell them what is best for their loved ones.

I would hope that the minister would ensure that would not take place. I would hope she would clarify the vagueness in some of her definitions particularly, to ensure that that does not take place. I would hope she would show the people of this province that they can indeed trust their government, regardless of its philosophical bent towards knowing what is best for everyone in society.

Believe me, the rest of us do not buy what this government feels—not only on this side of the House, but it sees what is happening out there. It knows that its position in government is an aberration, that it is simply an accident. This government understands that. It understands that in four years' time, when the Premier goes back to the polls, that the majority of the members are not going to be back here. Do not be foisting—

The Deputy Speaker: Please address your remarks to the Chair. I would suggest also that the member do not taunt the opposition. Stick to the subject.

Mr Mahoney: I will take your admonition. We returned as the opposition.

Mr Bisson: We are the government the last time I checked.

The Deputy Speaker: My mistake.

Mr Mahoney: I thought it was an excellent statement and observation, but it is not correct.

Mr Speaker, I will accept your admonition not to get into taunting and repartee back and forth between the somewhat excitable and excited members opposite. I will attempt to ignore them. You can appreciate that it is difficult because they have shown, whether it is in regard to this bill or any other bill, that a differing or dissenting opinion is one that is simply to be held in disgust by this government. Rather than recognizing and appreciating the role of the opposition, they tend to get a little excited.

The traditions in this province of recognizing the significance of family—I recognize in fairness to the members opposite, and I would not go so far as to say that the majority of them do not care about family; I think they do.

I think that one of the problems we have in our role, whether it be in opposition or in supporting the government on the back bench, is we tend to call each other down perhaps a little too much. I would respect the fact that the members opposite, some of whom have begun to have families and some of whom are still looking forward to that. Whenever the age of puberty passes they will be considering starting a family, and they will understand. One day they will understand the thing that many of us have come to understand, and that is the difficulty of dealing with a loved member of your family who has been incapacitated.

I am going to say, I sure do not want the government interfering in my rights as an individual, and I do not want the government interfering in the rights of my mother, who is doing fine at the moment but could at some point in the next 20 or 30 or 40 or 50 years—Mom, I know you are feeling great—become incapacitated. I know she wants

me, along with many of the other people in this society, to stand up for their rights and ensure that this government does not do what it has done in other areas, like eliminating allegiance to the Queen. Do not kid me that did not upset a lot of the same people we are talking about in this actual legislation.

This government does something to upset them and then brings along some advocacy bill and says this is going to take care of them; it is okay. And the member for York East does not think that is paternalistic. I beg to differ. It is not only paternalistic; it is potentially dangerous. That member knows it and so do the other members.

This government can solve that problem. It can solve that problem if it recognizes and puts a statement in the legislation, perhaps even in the preamble, that the role of the family shall be paramount, that the concerns of the family of these people who have suffered a debilitating problem shall be paramount, that the family will be consulted extremely carefully, that there will not be just off-the-wall decisions made as if the government knows best.

The government can do that. It can tighten up this legislation. One of the things it can do when it comes to vulnerable people is bring in, as we have asked, the three acts together. Let's debate them. What is the problem? They can put them all on the floor. Let's discuss them. Maybe we should even set aside a full session, a couple of days. Perhaps on Thursday at the House leaders' meeting I can talk to the government House leader about why this government is not taking the issue more seriously and bringing in all of the pieces of legislation that are needed to deal with these particular problems.

1710

We would ask that the definition of a vulnerable person under section 2 of the bill be revisited, that the vagueness of this definition be looked at and that perhaps—this is for the government House leader—we want to have more time on these very important bills and would ask her to bring the other two companion bills into the House so we could deal with them at the same time, to work on the vagueness of the definition, to assess precisely what range of advocacy must be filled in this.

As I said, a real recognition of the need to balance the desire to protect persons against neglect or abuse with the need—very critical, very important when you are dealing with an extremely left-wing, socialist government that thinks it has all the answers—to prevent undue interference with personal freedoms. The government members may know best when it comes to their trade unions, but when it comes to this, as I said before, I do not trust them. The public does not trust them, the sons and daughters and families of people who are in need of this kind of service do not trust them. We are not going to stand here and just give them carte blanche to do whatever they want and bring in perhaps the NDP advocacy instead of proper health care advocacy that is needed. It is interference versus assistance. That is what we are asking for; we want to see true assistance, but not rampant interference.

I touched on the financial implications. One of the frustrations I expressed earlier when the minister stood up to make her announcement about this being Senior

Citizens' Month—and of course this ties in very clearly, because while it is not particularly said, all disabled adults are clearly not senior citizens, but I would have to take an educated guess and suggest that a very large percentage of them are. This is at least an attempt to address some of the issues under the Office for Senior Citizens' Affairs.

The issue of mandatory retirement has been totally ignored by the minister, even though she answered me in committee when we were dealing with the estimates that she believed amendments should be brought forward to end that discriminatory practice, that we should be doing so. I have seen nothing come forward in even the form of a discussion paper. Would it not be nice to find out how the senior citizens feel about that, other than perhaps talking to a handful? Would it not be nice to put out a green paper or something? This government is the government of green papers, for goodness' sake. Every time you turn around they are coming up with some other form of consultation that they want to undertake, and yet they are ignoring things like that in senior citizens' affairs.

At least we have Bill 74, which is addressing some of the issues that seniors and their families would have, but that has been ignored. The issue of the problems of the cutbacks in Transhelp has been ignored. What do we get? We get, in the Mississauga News—and this affects people who are covered under this legislation—"Ambulance Cutbacks Put Lives in Jeopardy." Last Friday's Mississauga News: "Cutbacks in Peel-Halton Ambulance Service." We are not looking at it. We are too busy trying to figure out who wrote letters to judges and who has conflicts and who should do what. How do we cover ourselves, how do we teach our backbenchers to act as seals and applaud instead of dealing with issues that are of real concern?

This is on topic. I see you, Mr Speaker, shaking your head. The reason it is on topic is that we are talking about a bill that has the potential to do some good, but it needs some adjustments. It needs some adjustments and I do not see this government prepared to make those adjustments. We are going to fight to make them. We are going to make those adjustments in our committee. The minister can look at me smugly if she likes, but that is our job, that is our role, and she can rest assured we will be doing it as aggressively as we can.

Having been somewhat critical, I would say, however, that the minister is at least to be congratulated for recognizing that good Liberal social policy should not be thrown out just because of the freak that happened on 6 September and the accident of these people being elected to government. They are at least recognizing that there is a basis of foundation from the Fram report, there is a basis of foundation from the submission to cabinet. They are just not going far enough. I would encourage them to bring the other two bills into the Legislature as quickly as possible, to listen to the opposition amendments at committee, which I feel this minister will do, and to consider putting them in so that we can deliver something to the people of this province that is not partisan, that is good public policy.

Mr Daigeler: Just a few brief points. As my colleague just said, there are some very important issues being raised

by this bill, and we are certainly supportive of the work that has gone on before. I remember in particular Father O'Sullivan, who was a tremendously valued member of the federal House and who unfortunately has passed away now due to a very severe illness. I think, though, as the previous speaker has just said, there are some very glaring omissions in this particular bill and I am concerned that there is very little in the bill, at least as yet, on what that advocacy function is in fact supposed to be.

Nor is there very much in the bill at the present time on the procedures to be followed by the advocates. In fact, I read the bill over the weekend. A lot of it is spent on how the advocacy commission is going to be established, setting up an advisory committee for the appointments to the commission and how these people are all going to fit into the system, but very little of it is spent on the nature of the advocacy itself, how it is to be done, what it is precisely to accomplish and how the rights of the family, as was mentioned by the member for Mississauga West, are going to be protected.

I certainly look forward in committee to hearing answers to all of these concerns. I am sure the minister will come in with further details, because we know that she is serious about this matter, and so are we, so I look forward to further details on some of these very important questions.

The Deputy Speaker: Okay. Order, please. Section 22(b) of the standing orders says that the Speaker must recognize the first person who stood up. I notice there were five, et je reconnais le député de Cochrane-Sud. Vous avez été le premier.

Mr Bisson: I think it is interesting to note that we got into this debate, and I think it is a good debate that all parties have been trying to contribute to, but I think something very fundamental and interesting happened in this part of the debate. The member opposite who got into the debate on this showed a lot, I think, when he was showing his cards and what he had in his hand in regard to the cards he had shown. He has a total bias, basically, to what is happening in this House.

For one time since 6 September we have been debating a bill based on the facts and not getting into party politics. The one thing we hear back there is that the citizens of Ontario understand that at times we need to get into party politics, and we need to get into that kind of argument, but when bills are presented and make commonly good sense, it would be a good idea that the member opposite would remember not to do that. He used very strong terms. He used the question of us as aberrations, a freak on 6 September. He said a lot of things in regard to some fairly strong language. I understand that at times we have to get into that, but it is not respected by the people of this province and certainly not respected by the majority of the people inside this House.

He also talked about this as being a bill that was introduced by the former Liberal government or as being Liberal legislation. I only wish it was, but we know for a fact that this is not the case. This bill was put in place by the NDP government because the NDP government recognized it as something that was long overdue and had never

been done anywhere in this province, or in the country for that matter.

I would beg that the member respect the wishes of the people of Ontario when entering into debate, understanding that at times we are going to get partisan. But to use whatever forum possible in order to advance one's partisan politics does not sit well with the people of this province. The people of this province elected us, as most members in the House recognize, to be able to debate bills and to be able to put together legislation for the common good of this province, and not to advance our political aspirations as leaders of a certain party when we are running for them.

1720

Mrs Marland: Is it not exciting to listen to the member for Cochrane South talk about what the people of this province expect? The people of this province expect a government that is elected based on promises to keep them. Quite frankly, that little lecture that we just received about what is in the partisan arena and what is not is quite unnecessary. In listening to the comments of that member in response to the comments of the member for Mississauga West, I find it very interesting for him to stand in this House and talk about partisan comments and what the public expect.

He is saying that his government is doing something that has never been done before in the history of this province and indeed this country. On that score I will agree, but it is not this bill that they are doing to this province and to this country that has never been done before; it is their other policies that are going to be driving this province down and down and down and costing the public of this province the kinds of dollars that they never, ever anticipated because of the fact that they are fiscally irresponsible. The kinds of things that we would like to be able to achieve for vulnerable adults through an advocacy commission cannot be achieved because there will not be the money needed to make those changes because of the deficit planning that this government has proposed for this province at this time in our history.

Hon Ms Ziemba: I want to address some of the concerns that were raised. I guess the member for Mississauga West's holiday was not quite as well done, as he missed a few things while he was away. If he had been in the House last week he would have noticed that the two items that he wanted to bring forward have been addressed in first reading. We have already been discussing with the opposition and with the third party and with the member for Lawrence if we could bring together all three pieces; if we could have a debate in the standing committee on administration of justice. If we can get on with it, the three pieces will be brought to that standing committee in tandem, together, and we will be debating those issues.

I also have to talk on a personal note. My mother passed away 8 February of this year, a victim of Alzheimer's. I well understand the role that families have with advocacy. I also understand how difficult it is for families to be able to sometimes cope, and their need to have the assistance of an advocate to do that. When I was attending and looking after my mother, there were people

in her room who did not have family and friends who could address their issues and who could speak on their behalf. If a family member is doing a good job there is no fear of an advocacy commission, because we want to advocate and make sure that this commission is set up on behalf of vulnerable adults for people who do not have family or friends, very clearly stated.

I also want to mention very clearly that this commission is not going to be appointed by political hacks of any political party whenever they are in power. It is going to be appointed by the vulnerable adults and their organizations themselves by having duly elected elections and making sure that those people are represented on the commission. This is a first, and this is to make sure that they are empowered, not taking away their rights, not giving, as the member had said, this attitude that we are better and we know more than the other people. We are making sure that they sit on the commission, that they are empowered, and that they can have their rights addressed.

Mr Mahoney: I appreciate that response from the minister. I ask that the legislation, the three pieces, be brought here in the Legislature, not in a committee room. The minister has said that that is not going to take place.

I will tell the minister where I was. It was not a holiday. I was out travelling around this province on a budget task force trying to explain to people how those guys are destroying this entire economy. That is where I was: listening to the problems of the people.

Let me just address for a moment the issue raised, although I should ignore it, about partisanship. What the honourable member for Cochrane South does not understand is that what I do not like—and, in my opinion, the majority of the people in this province do not like—is socialism. We are not at a time in the history of this province when we can stand back and tolerate a socialistic viewpoint in this province. This government is destroying the province. We have businesses that are leaving—

Mr Drainville: Nonsense.

Mr Mahoney: It is not. That is the problem. They do not actually believe it. They do not understand what they are doing.

On the bill, I say to the minister that I appreciate the fact—and my sympathies on her loss—and I know that she understands how important it is. What scares me, as I said before—this is not a personal statement—is that I do not trust her government. It is not that I do not trust her personally; I do not trust her government. I do not trust her party's philosophy. I do not trust where those people come from, and when they say to me that if a family member is doing a good job there will be no need for interference by an advocate, that is exactly my point. They are going to arbitrarily decide whether or not that family member is doing a good job—they, the great judge of whether or not that family member is satisfying the needs of the loved one who is in this difficulty. They have no right to make that judgement as a government and they should not set themselves up as God.

Mr Bisson: Just a very quick point of order, Mr Speaker: The member is misleading what this legislation is

all about, and it is not the government that is going to rule; it is people.

The Deputy Speaker: Order, please. I do not accept that word and I would ask you to retract it.

Mr Bisson: I will.

Mrs Marland: In speaking today to the second reading of Bill 74, I would like to say at the outset that we have waited a long time for this advocacy legislation. It was, in fact, December 1986 when the Attorney General of the day, the member for St George-St David, appointed the late Father Sean O'Sullivan to head a review of advocacy in Ontario. It was September 1987 when we received the outstanding review entitled *You've Got a Friend*, prepared by Father O'Sullivan, civil servants from several ministries and many dedicated volunteers representing the providers and consumers of advocacy services. It was 1988 when we also received the Fram report on substitute decision-making for mentally incapable persons, and the Manson report on Advocacy in Psychiatric Hospitals. Finally, in 1991, we are debating the legislation. Some time in 1992 we will have an independent Advocacy Commission in place.

It is not the purpose of this debate to lay blame for the delays, but we cannot help but wonder if some of the tragic cases of abuse of persons who attend or reside in institutions could have been avoided if we had moved sooner to establish a system of advocacy.

As I mentioned in my response to the introduction of this legislation by the minister responsible for disability issues, we must take steps to ensure that adequate advocacy for vulnerable persons is provided between now and the time when the new Advocacy Commission is up and running. Today's debate is one of principle. Again, as I said in my response to the minister on 18 April, and I quote, "Certainly our party has long supported an independent advocacy system."

Father O'Sullivan painted a frightening picture of more than one million adults in Ontario who are vulnerable to abuse and exploitation. Physically disabled persons, frail elderly persons, persons with psychiatric disabilities and persons with developmental handicaps—all of these adults are vulnerable. Persons in institutions are always vulnerable because an institutional setting deprives people of a substantial degree of control over their lives and many of their rights.

1730

Father O'Sullivan pointed out that by the year 2030, when the last of the baby boom reaches age 65, seniors will then represent 23% of our population compared with 11% in 1986. That means the number of frail seniors requiring advocacy services is going to increase dramatically. As well, more than 20% of Ontario's population over the age of 65 is unable to converse in either English or French. That means one out of every five seniors may require an advocate to communicate his or her needs and wishes. This incidence will increase if, as predicted, higher levels of immigration are required simply to maintain our population, let alone increase it.

Consider, too, that at present disabilities exist in about 14% of Ontario's adult population. Four out of 10 disabled persons are over 65 years of age and more than half of the disabled persons who require assistance with the activities of everyday living are senior citizens. Thus, the incidence of vulnerable disabled persons will also increase as our population ages.

The arguments for an advocacy system are therefore compelling. As I have said, this legislation is urgently needed and it is long overdue. Although our party is still conducting a detailed analysis of the bill, we do support it in principle.

The minister responsible for disability issues has expressed her hope that the bill will be sent to committee for further comment from the public. Our party agrees the bill will require close analysis in committee to ensure that the advocacy system established in the bill is the best system possible. From the analysis that we have of this bill so far, we do have, however, one major concern. That is the bill's divergence from the recommendations of the O'Sullivan report, *You've Got a Friend*, concerning the need to have volunteer as well as paid advocates.

I would like to quote from the introduction and background to the O'Sullivan report:

"Ontario needs advocacy. More particularly, we as Ontarians need to be advocates. Most of us already are. We can do more. If we are to improve our society, we must. Primary responsibility for advocacy must remain with us as individual citizens, as families, as friends and as neighbours of Ontario's vulnerable population.

"Primary responsibility for advocacy education and the development and support of advocacy services is the proper role of government. Therefore, this review of advocacy, having considered Ontario's needs and options, recommends a shared advocacy model for this province. While recognizing the need for equally dedicated, professionally trained and suitably paid advocates, this review has concluded that the heart and soul of advocacy services will depend upon caring volunteers."

That is the end of the quote from the O'Sullivan report. The emphasis on the volunteer aspect of advocacy is very clear.

The minister responsible for disability issues has been quoted in the *Toronto Star* as saying she does not think the volunteer system envisioned by Father Sean O'Sullivan and the participants in his review is practical. She has also announced that there will be at least 150 paid advocates. A senior policy analyst in the Office for Disability Issues says that is twice the number of advocates suggested under a plan that was submitted to the Liberal cabinet two years ago.

There is nothing wrong with having as many professional, paid advocates as possible. However, public funds are not infinite and, as I pointed out earlier, the number of adults requiring advocacy services will increase dramatically as our population ages. Therefore, properly trained volunteers are crucial if we are to be able to afford our advocacy system in the longer term.

More volunteers with no connections to government or institutions speak only for the people whom they have

been appointed to help. They ensure the independence of the advocacy system. They also ensure that the advocacy system empowers vulnerable persons to make decisions and exercise their right of choice, not only in personal matters but also in the shape and future of our advocacy services. Finally, anyone who has been involved as a volunteer in an organization or who has been the beneficiary of assistance from a volunteer knows that nothing can match the dedication a volunteer brings to his or her volunteer work. The members of this House should be especially familiar with the value of volunteers since virtually all of us have made volunteer service to our community a priority in our lives.

Again, to quote Father Sean O'Sullivan, this time in the closing remarks of his review:

"We wish to endorse the insights offered us by an individual whose remarkable life journey includes long-term institutionalization, labelling as mentally retarded, a decision to strike out on his own and who today offers advocacy and hope to many others. This man spoke compellingly of a basic difference from the partners' point of view between a paid advocate and a volunteer advocate. As he put it, 'The paid advocate would be regarded as a professional who has a job to do but the volunteer advocate, exactly because he or she is there voluntarily, is also my friend.' We have found no better description of the advocate par excellence."

It was out of this insight of this particular individual that Father Sean O'Sullivan derived the title of his report, *You've Got A Friend*.

Our party urges the minister to rethink her remarks on volunteer advocacy. I hope the member who is talking to the minister at this point during the debate will allow her to hear the comments. Our party urges her consideration; I will say again that our party urges the minister to rethink her remarks on volunteer advocacy.

That concern aside, our party welcomes Bill 74 and offers its support, in principle, for the legislation. To the official opposition, which, when it was the governing party, had the O'Sullivan review of advocacy services for three years and did not act on it, I simply say: If only this bill could have been introduced sooner.

All of us who were privileged to know Father Sean O'Sullivan personally know the kind of dedication and commitment he gave to that review of services for vulnerable adults in our province. For those of us who knew him personally and for those who had the privilege only of reading his extensive work, I think perhaps there has been a very regrettable lapse in the fact that that report was written and presented over three years ago. We can only hope that from this point forward the current government will move so that the risk and indeed the vulnerability of those adults in the province today who need advocacy will not go on any longer.

I say in closing that in the interim period between now and when the Advocacy Commission is established and has developed its policies and its directions, I hope and I trust that I can depend on the minister to do all she can to ensure that those people who are vulnerable adults today in Ontario will not be at unnecessary risk.

1740

Hon Ms Ziemba: I thank my colleague in the third party. I think she has expressed it very well. Yes, we do appreciate the work that was done by Father O'Sullivan. Certainly when I was working in the community, that was one of our concerns in our lobbying that we did to the previous government, that we certainly wanted an advocacy act to be addressed and vulnerable adults to be protected.

I too am concerned, as she said, that vulnerable adults are out there right now unprotected. This is the reason we have to get on with the job and make sure that we take this act to committee and make sure we get the commission set up very quickly.

I want to just make a point on volunteer advocates. I think it is very important for the member to take a look at subsection 3(2) where we very clearly talk about volunteer advocates and that they will continue to play a very important role in our new commission and certainly play a very important role with the vulnerable adults they are already overseeing, and perhaps in the future as well with new vulnerable adults. We do as a government take great consideration not only of volunteers but also of family members. I appreciate the member's comments, but the volunteer advocates are certainly part of what we want to do and certainly a part of our overall plan.

I also want to bring out the fact that under the Ministry of Citizenship we understand very clearly the fact that there is a new face to Ontario and that there is a need to look at cultural interpretation. There is a need to look at religions and traditions of new vulnerable adults in this province. Because of that, we do have in place a very good cultural interpreter program that certainly will assist and help. We certainly are looking to our commission to address the needs of people who come from other cultures and other various places, and also the aboriginal people. I have stated very clearly in my statements that our first nations must have the right to decide how advocates will work within their community, and we hope and want our first nations to be able to use the Advocacy Act as well.

Mrs Caplan: As I rise in the two minutes allotted to me, I would like to reiterate again the support for the principles and the intent of this legislation. I was pleased to hear the commitment from the minister that all three pieces of legislation will be together at committee. I think it would have been a better idea if we had been able to debate all of those pieces of legislation as a package here in the Legislature at the same time, but at least they will be together in committee, and that is very good.

One of the concerns we have, and I would state it again, is that the bill sets out no specific mechanisms for the implementation of the goals and it leaves so much to regulation that I believe there is a legitimate concern of members on this side of the House, and a legitimate concern of providers, a legitimate concern of families, a legitimate concern of consumers and advocates who are presently in the system, that in fact the intent of this government, this NDP socialist government, will be to implement this legislation by regulation. That is of great concern

to all of those who look at this legislation, which is eminently supportable in principle and eminently supportable in its intent. The concern is, how will this legislation be implemented? How will it be given effect?

Every indication is that in fact this will require a large bureaucracy; we will see it bureaucratized. The concern which has been expressed by many of my colleagues on this side of the House is that because of the paternalistic nature of this bill, what we will see when it is implemented will not achieve the goals and the objectives that everyone in this House is so supportive of. Much work has been done over the years and many reports have been received. This legislation I hope will achieve those goals, but it is doubtful because of the nature of the legislation.

Mr Cousens: I would like to just comment briefly, if I may, on the excellent presentation by the member for Mississauga South. I think one of the things she has done again is to go back a couple of steps and let us understand the role and importance of advocacy, something that did not exist many years ago. Now, as we face the needs of a diverse society and understand something of the vulnerable people who are within it, we appreciate the need to provide certain services and to make sure that they are protected. I guess to me that is a very important way of prefacing the whole debate to Bill 74, because once we understand that there is a common need across our society for each one of us to appreciate that there are people out there who are hurting or need help, we must then set up the mechanisms and the ways in which we can do that. I think that is a good beginning point.

I am worried that if this bill were to go through as it is, it is going to cause problems of other natures. That is why it is going to be so important to begin with the philosophical base of agreement that I believe the member for Mississauga South has enunciated. Then we are going to be able to look at and help define who is a vulnerable person. To what degree can we go and help them without going beyond the limits and start intruding into a person's private life? Are we in a position as a Legislature to have a kind of open discussion on this through the public hearing process so that we can then deal very carefully and delicately and honestly and openly with all the groups that will have something to say on these matters so that we can then refine this legislation? It is not complete now, but it is a beginning point.

Mr Sutherland: I just wanted to make a few comments on what the member for Mississauga South said, not to take away from the intent of the debate on this specific legislation, which is very important, but her comments about Father Sean O'Sullivan. I do not know how many members here in the Legislature had an opportunity to read the biography, or autobiography, that was written, called *Both My Houses*, but as a young person who was thinking about getting into politics, I found it a very inspirational book to read. Also, it talked about the issue of partisanship and how someone who originally when he got into politics was very partisan learned throughout his short but very significant life, in terms of his contribution to society in Canada and Ontario, how there are things more important

in life in terms of serving the people, as he indicated, in both his houses, in terms of getting a true understanding of what is important in life.

I think it is important to make note of that comment right now, given the nature of some of the comments earlier from the member for Mississauga West, and given the comments of how many other members have focused specifically on the legislation and have pointed out what they feel are valid criticisms, all with the intent and the goal of trying to improve the legislation so that those people who really need help and need advocates will be protected in the long run.

1750

Mrs Marland: I would like to thank the member for Oxford for his comments. It is true that the kind of leadership Father Sean O'Sullivan gave to the people in this country and this province is a model to which all members in this House can aspire. We can take from his example a direction to set our own sails in everything we do.

How wonderful that an individual like Father O'Sullivan served in the federal House, as the member for Oxford has identified, as a representative in a political party, and then changed his life's dedication from that role in federal politics to a role of continuing caring, an advocacy for all human beings. It was a demonstration to all of us, I think, that no matter what our life experiences are and whether we are serving the public in elected office or in other vocations or indeed in volunteer roles, there is never enough we can accomplish on behalf of people who need our help. Some of us perform that service, I hope, through our elected offices, and when we change that office or that venue, I certainly hope we will all continue with his kind of example of commitment and caring.

Mr Johnson: It is indeed an honour and a pleasure to be able to rise today and speak in the House about Bill 74, *An Act respecting the Provision of Advocacy Services to Vulnerable Persons*.

It is a comprehensive, all-inclusive act. I had the opportunity to scrutinize it very closely, and I must say I was impressed. The very first part of the bill, and this is most important, says: "The purposes of this act are to contribute to the empowerment of vulnerable persons and to promote respect for their rights, freedoms, autonomy and dignity."

I speak today with a certain amount of experience. I was a professional advocate for 18 years and a voluntary advocate at the same time. I dedicated a large part of my life, although some of it for remuneration, nevertheless to advocacy of vulnerable people.

I find it most interesting, as I listen to the members speak today, some for the third party and some for the official opposition, that they are espousing things that, in my opinion, are contrary to what happened while their governments were in power. This really confuses me.

Years ago when the third party was in power and was looking to consult on advocacy and consult in order to help vulnerable people, it went out and hunted for people in the community who were on its side. They did not look for people who were from all spectrums of society. They

went out and asked for people who were interested in their policies.

As for the second party, I wrote to the then Minister of Community and Social Services asking if he would not consider some of my concerns, in a very carefully drafted letter, and the deputy minister replied. The minister did not see the letter, he did not sign the letter, he did not have anything to do with the letter. It was really unfortunate. That was the second party.

But what is most important is not what has happened in the past but the fact that we are here today to deal with Bill 74, the Advocacy Act, 1991. What is really important to understand and know is that we are going to deal with the concerns of vulnerable persons.

When our society changed and our society obviously cared and decided it was going to do something about the people who had handicaps, that we were going to change the infrastructures within the province and ensure they had accessibility to all the institutions, we did not ask the people who were handicapped. The problem was that we, who were not the experts, went forward and developed ideas and implemented them and made them practical, what we thought to be practical, but because we had not consulted the very people who were handicapped, there were lots of flaws in what we did. That was really most unfortunate.

We had washrooms with doors big enough to get wheelchairs in, but the stalls were not big enough to turn the wheelchair around inside.

Mrs Marland: On a point of order, Mr Speaker: This member is demeaning himself in the tenor of his debate. I am amazed that in the procedures of this House this member would do this.

Interjections.

The Deputy Speaker: Order, please. Let me read what a point of order is:

"Questions of order relate to the interpretation of the rules of procedure and may be raised for the purpose of calling attention to departures from the standing orders or from customary ways that the House has conducted its business. They should be raised promptly before the question has passed to a stage where the objection would be out of place."

Mr Johnson: The point I want to make is simply this, that the majority of the members of the commission are going to be vulnerable people, and that says a lot. It is not

going to be a group of people who do not have any vulnerabilities, it is not going to be a group of people who have been assigned by the Legislature or assigned by the government. In fact, what we are going to have is a commission of truly vulnerable people, and they will speak in the best interest of all vulnerable people. Surely as a result of that, we will get the best results from this commission we could possibly imagine.

We have to understand too that there are changes in our society. There are new diseases. Acquired immune deficiency syndrome, AIDS, is making it necessary to have advocates in ways we never thought of before. This is really important. Having been an advocate for many years, I too have been aware of the involvement of families and their concern for their loved ones. What I found was that families did not think they were getting a fair shake from existing legislation and certainly were not getting a fair shake from past governments. Had there been advocates and representatives of vulnerable people in place, we would not have had people falling through the cracks as a result of our Mental Health Act, and we would not have had people falling through the cracks who were unnecessarily put into the communities—

An hon member: Shame on you.

Mr Johnson: When people are put into the communities in the interest of integrating them into those communities it is very good, but unfortunately, often all that happens to people who are integrated into communities is that they end up living there; they do not have the necessary support services. Had there been advocates speaking on their behalf at the time they were forced into living situations they did not want to be in, maybe they would not have fallen through the cracks. That is something we have to take into consideration.

So whether we want to condemn some parts of Bill 74 or whether we want to promote it, the fact that we have a bill today that definitely represents the needs of vulnerable persons is very important. With this bill, we are going to eliminate the abuse and the neglect and the exploitation we have seen. There has been a lot of misunderstanding, but even some of the best—

The Deputy Speaker: Thank you. It being 6 of the clock, this House stands adjourned until 1:30 tomorrow afternoon.

The House adjourned at 1800.

ERRATUM

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Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines and to the Minister of Northern Development
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Charlton, Hon Brian A.	Hamilton Mountain	NDP	Minister of Financial Institutions
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Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
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Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	Chair, standing committee on resources development
Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Health, Chair of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
Mackenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
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Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
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Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation

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O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
Rae, Hon Bob	York South	NDP	
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Sola, John	Mississauga East	Lib	
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Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
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First Session, 35th Parliament

Official Report of Debates (Hansard)

Tuesday 4 June 1991

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le mardi 4 juin 1991

Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 4 June 1991

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

SOCIAL ASSISTANCE

Mr Sola: On 15 May, more than three weeks ago, the Peel region chairman, Frank Bean, requested an emergency meeting between all regional chairmen and the Premier. To date, there has been no response.

This should not come as a surprise, since the issue that Chairman Bean and his colleagues wish to discuss is the cost of exploding welfare case loads that municipal governments are bearing. This is an issue the NDP government seems resolutely incapable of handling, despite the fact that there is no shortage of reports, both provincial and municipal, offering suggestions and possible solutions.

Chairman Bean's call for a meeting was prompted by announcements made by the Minister of Community and Social Services in response to the so-called Back on Track report.

The Ontario Municipal Social Services Association, in a letter to the minister, has expressed its concern with the announcements, arguing, as Chairman Bean did, that the government failed to consult in good faith with municipalities regarding its intentions. In fact, OMSSA calculates that the \$25 million provided in the minister's announcement is merely a 5.2% offset against projected municipal general welfare expenditures this year of \$475 million. As co-funders and co-managers of the social assistance system, municipalities' advice should be sought out and taken in full partnership.

The NDP government appears to have directed its efforts at relieving municipal welfare pressures by streamlining the delivery of general welfare assistance. The moratorium on home visits undermines a recipient's access to his or her worker and the advice and information welfare workers are able to provide. Perhaps what is of greater concern is the fact that the moratorium creates an unfortunate general public suspicion of those who are forced, for reasons beyond their control, to accept social assistance.

MARIE VERMUELEN

Mr Cousens: I would like to pay tribute today to a young lady from my riding who will be undertaking a very significant initiative later this summer. Marie Vermuelen, a grade 13 student from Thornhill Secondary School, will be participating in a 2,000-plus kilometre Sony Cycle Classic on behalf of the Christian Children's Fund of Canada. Marie is with us today in the member's gallery.

The 21-day event is scheduled to start in Halifax, Nova Scotia, on 11 August and end on 31 August in Toronto. The Ontario cyclists hope to raise \$1 million, of which Marie hopes to personally raise \$20,000. Marie's travels will take her through Prince Edward Island and New Brunswick before entering Quebec through the Gaspé

Peninsula. She will then proceed along the St Lawrence River and then head south toward Quebec City and Montreal, continue through Ottawa, arriving at the final destination at Nathan Phillips Square in Toronto.

The Christian Children's Fund of Canada is a non-sectarian, non-political international child care organization currently assisting over 29,000 children in Third World developing countries. Established in Toronto in 1960 as an independent and autonomous affiliate of the US organization, the Canadian fund, along with its counterparts in the US, Germany, Great Britain and Australia, assists over 500,000 needy children in 30 countries worldwide.

We in this country too often take for granted the advantages and standard of living afforded to us and our children. The selfless endeavours by people such as Marie Vermuelen on behalf of those less fortunate should be met by our thanks and appreciation.

In Marie's own words: "Not only will the money raised benefit children in many countries, it will give me a truly unique opportunity to visit many of the diverse cities that make up Canada, meet all sorts of people and see some beautiful Canadian scenery. It is sure to be an adventure to remember and cherish for ever."

Marie, all the best on your travels.

CAROUSEL OF NATIONS

Mr Dadamo: I would like to take this opportunity to inform members of the House about an ethnocultural festival which takes place annually in my riding of Windsor-Sandwich. It is called the Carousel of Nations.

The festival is now in its 16th season and is organized by the Multicultural Council of Windsor and Essex County. The dedication of its many volunteers has made the celebration multiculturalism in action, a great success. As well, it attracts tens of thousands of visitors from Michigan, Ohio, Illinois and Wisconsin.

The Carousel offers the very best in traditional world cuisine and entertainment, with special emphasis on education through ethnocultural exhibits in themes, art and literature. This year's theme is harmony among nations, showcasing the industrious, multicultural nature of the Windsor community.

The festival will feature 30 villages located throughout Windsor, and new on this year's roster are the Japanese, international and seniors' villages, and this year we welcome back the Croatian and Portuguese villages.

Admission to the Carousel is free. The festival takes place 7, 8 and 9 June and also 14 to 16 June. Opening ceremonies commence on 7 June at Lanspeary Park in Windsor, followed by multicultural entertainment and a colourful parade of villages.

I strongly urge members and their families who might be in the area on those dates to attend the Carousel of Nations, Windsor's multicultural celebration.

1340

MINING INDUSTRY

Mr Miclash: As we celebrate Mining Week in Ontario, we are reminded of the positive social and economic role of the workers, companies and communities involved in the mining industry in Ontario.

The mining industry is important to Ontario in terms of the revenue it generates for and within the province and in terms of the employment it provides, over 85,000 direct and indirect jobs. It is Ontario's second largest exporter of goods after the automobile industry.

Celebrating mining's past is important, but we must also be ready to meet the future.

The situation in the mining sector is serious. In 1990 the value of mineral production dropped just over \$1 billion, from \$7.4 billion in 1989 to \$6.3 billion in 1990. This was the first year in the past five that the value of production has dropped. In 1990 as well, nine mines were closed, resulting in a total of 3,715 layoffs, of which 2,910 were permanent job losses.

If we are to learn from the past, we will know that the resource industry has traditionally given Ontario a competitive advantage. What we need from this government are initiatives to encourage exploration and development, and measures to address the continued competitive disadvantage since the federal government withdrew its support for flow-through shares, and especially in light of Quebec's provincial government efforts.

The Minister of Mines rightly states that mining has fostered a quality of life in this province that is the envy of the world, but it will be the actions of this government that will determine whether Ontarians will continue to enjoy it in the future.

LAND REGISTRATION

Mr Jordan: Today I inform this House that the citizens of Almonte, Carleton Place, Lanark, Ramsay and Tottenham are outraged at the proposed closing of the new Almonte land registry office.

The minister has not acknowledged any of the correspondence from the mayor of Almonte, the law society, small business or any individual, including the president of her own association.

Less than one year ago, this new registry office was opened at a cost of \$1 million. This closure in October of this year will take away a service the ordinary area people have used for more than 100 years. The residents will be forced to drive over 120 kilometres to use older, rented accommodation. To this day, there has been no consultation with municipal officials in Almonte.

Over 600 people have signed this petition, which I will present later in the House.

I urge the minister to please inform the staff that she has already directed a review of this decision, and of the many advantages this new building has relative to the handicapped and with modern computer services and space for the future development of Lanark county. Almonte is centrally located to the urban development of Ottawa and Kanata.

TELE-DIRECT SOLICITATION

Mrs Mathysen: I would like to read a letter I received from Paul Clarke, a constituent who runs a small business in Middlesex.

"Dear Mrs Mathysen:

"Tele-Direct, a Bell Canada company, is soliciting US retailers in Michigan and New York to advertise in Sarnia, Windsor, Chatham, London, Toronto, St Catharines, Hamilton and Mississauga yellow page directories. This is a totally irresponsible act by a major Canadian corporation to encourage Canadians to spend their money outside of Canada and not support their local retailers and businesses.

"It is an opportunistic act motivated by their greed to cash in on the cross-border shopping activity and sell more advertising space in their Canadian phone directories. What they do not see is that the advertising space they gain will probably be offset by the loss of a Canadian retailer and advertiser who goes out of business."

What Mr Clarke is referring to are these flyers that encourage American businesses to place ads in Ontario directories. The flyers describe the growing influx of Canadians to the United States to purchase American goods and services because of free trade and the GST, which make shopping in the United States so attractive.

This is like asking to be looted. As Mr Clarke so clearly points out, this is reprehensible, certainly as reprehensible as a federal government that is killing this province and killing this nation with its irresponsible policies in terms of the dollar and the free trade agreement.

I join Mr Clarke in his condemnation.

FISH AND WILDLIFE MANAGEMENT

Mrs Fawcett: Picture this: a beautiful, pure source of spring water, buffered from acid rain, flowing such that it was the most near-perfect spot for a fish hatchery. Forty years ago, Codrington fish hatchery was born in Northumberland county. This week, its life comes to an abrupt and unjustified end as the brood stock of the sole source of disease-free brown trout in Canada is moved to southwestern Ontario. I hope they survive the trip.

The ministry's financial analysis to refurbish the hatchery is wrong. This year, \$25,000 spent to meet the health and safety concerns would have kept the hatchery intact.

The minister says water quality and quantity are less than ideal—wrong again. Consultation would have shown that the water quality is second to none and there are 700 gallons per minute, gravity fed, requiring no hydro or pumps. I ask what more he wants.

Last year, 7,000 people visited this ministry showcase to picnic, browse or be educated. In fact, it is visited by many schools in the area as an integral part of their environmental studies curriculum.

I cannot comprehend how the minister can rationalize this decision in his own mind. This closing has to be one of the most unnatural management decisions made in many years. I believe the minister will regret this bureaucratic financial decision. It surely flies in the face of his government's self-proclaimed environmentalist and naturalist position.

PROPERTY ASSESSMENT

Mr Turnbull: Today the people from Metropolitan Toronto will be gathering at Queen's Park for a rally against the imposition of market value reassessment. They come to deliver a message to the government. They are not seeking reductions in their tax bills, only a system that is fair. They know the present system for establishing property tax value is inequitable. However, the proposed market value reassessment is also inequitable.

With the change of government in the fall, the people of Metro were expecting to see the whole issue of property taxation receive careful study and all alternatives examined and equitable taxes achieved. It is very disappointing to see this government once again back down on past principles. The reassessment presently occurring is costing the taxpayers of Metro over \$11 million and will give Metro council information on only one method of taxation.

The Minister of Revenue has at her disposal a vehicle to ensure the citizens of Metro are given a fair hearing, the Fair Tax Commission. It should be examining many tax issues. It makes sense to look at it and see how properties are assessed and to examine such alternatives as unit assessment system. Will the Minister of Revenue agree to this simple and logical request?

UXBRIDGE COTTAGE HOSPITAL

Mr O'Connor: I am pleased to inform the House of an important event taking place in my riding of Durham-York. The Uxbridge Cottage Hospital Foundation is holding a Hospital Fun Day Saturday 22 June at the Uxbridge Arena and Community Centre.

I would like to pay tribute to the members of the foundation for their hard work in raising funds for the Cottage Hospital in Uxbridge and particularly organizing this fun day.

The Cottage Hospital is determined to develop a broadly based, participatory, community-oriented strategic plan for health and social services in Uxbridge township. They deserve our congratulations and our support for their efforts in this regard. The Uxbridge community is very concerned that this caring attitude as a function should be used as a role model for other communities.

Bring your families, join us at the hospital's Fun Day. Enjoy a silent auction, dunk tank, putting green, bingo and a strawberry social. The children will participate in face painting, antique fire truck rides, a miniature train ride and model rocket demonstrations. They are also having a car rally, a fashion show and a bake sale.

I look forward to seeing some of the members at this event. Everyone will have a good time, and I am sure they will have a warm welcome at Uxbridge.

1350

STATEMENTS BY THE MINISTRY

COMMUNITY RADIO
RADIO COMMUNAUTAIRE

Hon Mr Marchese: I am pleased to announce today a program to strengthen Ontario's culture and allow more public participation in the affairs of the province. The program is called Community Radio Ontario.

Je suis heureux d'annoncer aujourd'hui la création d'un programme qui permettra de renforcer la culture en Ontario et d'assurer la participation accrue du public dans les affaires de la province. Il s'agit du programme de radio communautaire de l'Ontario.

Over the next two years, our commitment to community-based radio will open up the airwaves to people who live in isolated communities and to a great number of people who are not able at present to communicate easily with one another.

Today, I am announcing funding of \$1.78 million for this initiative. The program will focus on the needs of native and francophone community radio stations. We will begin immediately to ask native and francophone communities what they need and invite them to assist us in designing strategies to improve their financial positions. By April 1992, licensed native and francophone stations across Ontario will be eligible for grants to employ station staff or for other operating expenses.

À compter du mois d'avril 1992, les stations autorisées de radio communautaire autochtones et francophones de la province seront admissibles à des subventions pouvant être utilisées pour embaucher du personnel ou effectuer d'autres dépenses de fonctionnement.

Non-profit community radio plays a crucial role in many parts of Ontario. Already, 33 stations are a cultural lifeline for the communities of the first nations throughout the province. Currently, two community radio stations serve the francophone community in Ontario, but there is clearly a need for more French-language service. There are also 15 campus and general community radio stations.

Despite the great value of these stations, they are all underfunded and understaffed. In making this announcement today therefore, we recognize the value of a service created and maintained out of necessity by people themselves.

My government supports community radio because: it creates equity and fairness by providing information to people in their own language; there is a demand for it; we believe in public-interest radio; community radio falls outside the market economy and therefore needs government support.

From news to stories to statistics to simple talk, the need for information in languages people understand is real. We know there is a demand by the very existence of some 50 licensed stations already providing community-based, non-profit radio service in Ontario.

It is a fact, moreover, that many communities have not managed to attract commercial private radio. Whether it is because the audiences are not big enough or whether it is because the advertising dollars are not there, we have seen that the market is not willing to support community-operated radio.

Cutbacks to the CBC, cutbacks to rail service and cutbacks to postal service have all intensified the need for strengthened communications systems in Ontario. The dedicated people in community radio need to know that they are not without partners in their efforts.

This is an historic and happy occasion. The needs of these communities have been known for some years. Now

this government is able to respond to those needs in a way which will lay the foundations for community-based radio service in Ontario.

Il s'agit d'une occasion historique et heureuse. Les besoins de ces communautés sont connus depuis quelques années. Notre gouvernement est maintenant en mesure d'y répondre d'une façon qui nous permettra également d'établir les fondements de la radio communautaire en Ontario.

Today, we are acknowledging that community radio stations make airwaves more accessible, more relevant and more participatory for the local and specific needs of the communities they serve.

RETAIL STORE HOURS

Hon Mr Farnan: As I have announced this morning, and as all members of this House have been informed, we are proposing today the Retail Business Establishments Statute Law Amendment Act.

Our purpose is to provide for a common pause day for Ontario. This is a commitment we made to the people of this province in the throne speech last November, and I am proud to play a part in its fulfilment.

This act has two main thrusts: first, it amends the Retail Business Holidays Act with respect to the operation of retail business establishments on Sundays and other holidays; second, it amends the Employment Standards Act with respect to employment in retail establishments.

Principally, the first section of the bill will support and protect Ontario's tourism industry. The second section primarily provides retail employees with a guarantee of 36 hours of rest in every seven days of work and an absolute right to refuse Sunday and holiday work without fear of losing their jobs or suffering disciplinary action.

The decision of the Ontario Court of Appeal in March of this year confirms the Retail Business Holidays Act as the law of the land. It has withstood constitutional challenges and it offers us a framework with which to provide a common pause day while improving protection for the rights of retail workers in Ontario.

At the time of the recent Ontario Court of Appeal decision, I stated that amendments would be presented to improve the effectiveness of the Retail Business Holidays Act. The most significant amendment we are proposing will provide province-wide criteria for an exemption to holiday retail closing requirements for tourism-based businesses.

Through discussions conducted with a wide range of groups between February and May of this year by my ministry and the ministries of Tourism and Recreation and Labour, we have identified the tourism industry in Ontario as an industry with unique requirements. This had not been adequately addressed by the existing legislation or any previous legislation.

The provisions of this proposed amendment establish a responsive mechanism to meet the needs of the tourism industry, an industry which is one of the cornerstones of our provincial economy.

This amendment will replace section 4 of the Retail Business Holidays Act, the section that currently deals with the powers of municipalities to enact bylaws.

The virtually unrestricted powers granted to municipalities in 1989 under this section of the act offered potential for inconsistencies that would have threatened to undermine the overriding importance of providing a common pause day.

These amendments we are proposing today will enable the establishment of province-wide criteria relating to tourism which must be met before an exemption can be granted. This will ensure a reasonable degree of uniformity and, ultimately, clarity and fairness in the application of the law.

This tourism exemption will strike a balance between responding to local needs and the overall need to establish fair and enforceable laws that promote a common pause day for Ontarians.

To qualify for exempt status, businesses will be able to initiate the exemption process with their municipal council in accordance with local economic development plans. This process also anticipates local initiatives and growth as exemptions may be granted to maintain or promote the development of tourism businesses.

In a district, metropolitan or regional municipality and in the county of Oxford, the council of the municipality may apply for a bylaw to the upper or senior tier of government.

The amendment states and reaffirms that the council shall take into account the principle that holidays should be maintained as common pause days.

In order to minimize confusion, municipal bylaws in force as of 3 June 1991 will continue for one year from the date of proclamation of these amendments or until those bylaws are repealed, whichever comes first. Bylaws which come into force on or after today, 4 June 1991, are repealed on the day these amendments come into force.

1400

I wish also to note that the proposed amendments will set out minimum fines for breaches of the law. This reflects the seriousness with which our government regards this issue.

In addition, the act we are proposing today includes amendments to the Employment Standards Act. The amendments further protect the rights of retail workers by giving them the absolute right to refuse Sunday and holiday work and by guaranteeing them 36 continuous hours of rest in every seven days, whether or not they work on Sundays. There are also provisions which strengthen the role of the employment standards officers in dealing with employees' complaints.

Our government is firmly committed to protecting the rights of retail workers through the provision of a common pause day. Towards this end, the essential elements of the Retail Business Holidays Act remain intact and in force.

However, we recognize that Ontario embraces diversity, as clearly indicated by the variety of ways in which Ontarians earn their livelihoods. By recognizing this diversity and accommodating the distinctive needs of local tourism-based economies, I believe we have addressed the concerns of a great many Ontarians while continuing to demonstrate our support for a common pause day and the rights of retail workers in this province.

On an issue such as this, on which a broad public consensus is difficult to reach, the government is proceeding in as fair and open a manner as it can. However, we believe we must take the lead on this issue because it affects the quality of family and community life of all Ontarians.

As was stated in the throne speech, our government is committed to guaranteeing a common pause day and to protecting the rights of retail workers in Ontario. We are making good on that commitment.

RESPONSES

COMMUNITY RADIO

Mr Elston: I would like to say first of all to the Minister of Culture and Communications that while I am sure there is welcome relief that there is some assistance for the community radio program, and while there are initiatives there that will help at least a couple of communities, there are other needs that have not yet been met, including that of our publishing industry.

The members opposite know just how critically in need of the assistance, which was announced first in the budget, those people are finding themselves now, while in other parts of the area people like Mel Hurtig can find themselves out of business and we find our publishers going out of business. The minister should get on with the business of doing his cultural department administration and with helping those aspects of our culture as well.

While he has done that one thing to help gear up local radio so that it can talk about Sunday shopping, there is more work yet to be done.

RETAIL STORE HOURS

Mr Elston: Getting to that, I cannot believe that member actually rose in his place today to pass this cruel joke on to the public of this province. He has put in front of the public a concept which he says is not local option. Of course, from the man who said he did not write, authorize, see or sign the letter, we find a man who did not authorize municipal option. He does not know what municipal option is; he does not understand municipal option.

From the man who does not know about letters, we find a man who does not know anything about the words "common pause day." He does not know what a common pause day is. He did not authorize a common pause day by this stuff and he does not have a routine common pause day. He does not know what in the dickens is going on over in his ministry. He has done one thing only in this place today: He has made a mockery of the Agenda for People, of all the ridiculous utterances he made when he was a member of the opposition and of all the things he said and that he and his party stood for. This is laughable.

Mr Curling: I challenge the Solicitor General to define what a common pause day is. He promised a province-wide common pause day, and I am sure he could not give me a legal definition of that.

He promised to exempt the border communities from any new Sunday shopping law. He said to reporters: "We think it is important. It is significant." Those are the Solicitor General's words. He travels around the province with a

rubber chicken under his arm and can say that this was our chicken way out of it. He does not need a rubber chicken now. He should just travel on his own and that is chicken enough.

He has broken all his promises. It is typical of this government to continue to announce its Agenda for People and what it has. They have broken every promise they have made here. They have tinkered with this legislation. It is not working, and we also find that what we put forward, our government laws are—

Interjection.

Mr Curling: The establishment of provincial criteria to designate official tourist areas is very complex. They are unworkable. It is subject to abuse. It is just like the old Tory law. That is why the previous government, our government, amended the Retail Business Holidays Act. We made it fair. We made it understandable and enforceable.

Interjection.

Mr Curling: As my colleague said, this is just unworkable. This is awful, and the Solicitor General should be ashamed of coming into the House today and saying, "This is our Sunday shopping law." I ask him to say whether or not the Eaton Centre could be opened under his designation. He could not answer that in the press conference, and I asked him what we will do with those people when they ask to open.

Mr H. O'Neil: The Solicitor General has referred to the Ministry of Tourism and Recreation and what it does or does not do for tourism. I can tell the minister that this is going to be very confusing to people in the tourist industry. I do not think he has set this thing out very clearly. The tourism industry is having a lot of problems at the present time. If he is going to confuse these people and make it harder for them to make a living, he is going to drive them out of business.

I can just tell the things the Treasurer did: 30% increase in gasoline taxes, the gas guzzler tax, the increase in alcohol taxes, the surtax on small business, the cutbacks in marketing, the money the Treasurer took away from marketing, over \$100,000 from the Ottawa area alone; this is going to be devastating to the tourism industry.

Mr Carr: I wish I could rise today and say that this statement was going to make the whole issue of Sunday shopping a lot clearer. Unfortunately, it will not. It will put it back into the hands of the municipalities.

As I read the tourism criteria, they virtually include the entire province. They include: historical and natural attractions—most of this province has that; cultural and ethnic attractions, which include most of the province; concentration of hospitality services, which includes most of the province, as well as farmer's markets where handcrafts are sold. It will be any area where there is hiking and boating. It will be the entire province. Now taking the decision in that regard, it will be back in the hands of the municipalities and we are now going to have litigation when the exemptions are criticized by either side.

The Solicitor General, as my friend the member for Scarborough North has pointed out, went around during the last session of this Legislature with a little chicken on

his shoulder to mock the last Attorney General, and then he turns around and does the same thing. It will be passed back to the municipalities. They will be the ones to decide in litigation, and the whole question is not answered. We have gone for years now and the whole question will be back in the hands of the municipalities. Our government said it would take clear directions. This Solicitor General clearly has not.

Mr Harris: Here is a government, a party that vigorously opposed the municipal option when the Liberals brought it in, and now it is back to the table with a municipal option.

Here they say on page 2 that council's decision is final, so now, if any municipality anywhere in the province wants to opt out, all they have done is to say, "Here's how you do it." The Liberals just said: "You don't need criteria. Do it." They have created a sham of criteria to do exactly the same things as the Liberals proposed with one exception. They are the same as the Liberals but they are much more expensive, because now the municipalities are going to have to have hearings and have consultants go through all the hoops, ultimately to do exactly what they want to do, open if they wish or close if they do not.

The Solicitor General is going to have a patchwork across this province. He is going to have uncertainty. This legislation is a direct pathway to the courts, the same as the Liberal legislation was, but there is a difference. When the Liberal legislation went to the courts, it was the Liberal government or the provincial taxpayer that paid. This government has a direct pathway to the courts, but the municipalities are going to have to pay all the cost.

Not only has the Solicitor General offloaded the chicken way out, as he said, made this a municipal decision, but he is pouring all the costs on to the municipality as well. I say shame on him.

1410

COMMUNITY RADIO

Mrs Marland: In responding to the statement from the Minister of Culture and Communications, of course we support community radio. However, we find the statement a bit confusing because, first of all, it does not talk about how many stations or where they are going to be, whether they are going to be placed or selected geographically. Also, in the budget speech we were told there was \$400,000 for radio, and now we are talking about \$1.78 million. Where does that leave the publishing industry? The publishing industry was promised \$5 million. With these figures, it looks like the publishing industry is going to get \$3.5 million.

Mr Villeneuve: Also in reply to the Minister of Culture and Communications, I presented a petition here last week regarding the installation of a low-power transmitter in southeastern Ontario, the Cornwall area I represent in southern Glengarry, Stormont and Dundas county, and I think I try to represent them well.

I keep reminding the minister that we do not even have a transmitter down there. We have had petitions. We have reminded him on a number of occasions. It is great to increase the budget, but if you do not receive the signal,

there is nothing there and it does not help anyone. This is a bilingual community close to the Quebec-New York state border. All we need is a low-power transmitter to serve that area which right now does not receive the TVO signal.

GENE ALLEN

Mr Runciman: Mr Speaker, I rise on a point of order: The Minister of Colleges and Universities has failed to inform this Legislature of one of the most important recent developments in adult education—to wit, the decision of the University of Toronto to award a doctorate in history this very afternoon to Gene Allen.

As members know, Mr Allen is a respected member of the legislative press gallery, if that is not a contradiction in terms. Even though his employer, the Globe and Mail, from time to time has seen fit to ignore some of the more pressing issues which take place in this chamber, Mr Allen has always been ready to further the interests of the province. It is in this vein that Gene Allen has managed to serve as a beacon to those of us interested in a fully literate society.

His path-breaking work on the history of the Intercolonial Railway has astounded scholars with its depth of vision. There could be no better time than now, when our country is in peril of disintegration, for scholars to examine the economic basis of Confederation. That is what Gene Allen has done. His doctoral dissertation has even cast new light on the development of standard time, another great Canadian invention.

I am sure all members would join me in congratulating Dr Gene Allen for his decision to pursue the important and timely topic of the Intercolonial Railway. I am sure we all congratulate the University of Toronto for deciding to award him with a PhD.

The Speaker: The member has brought to my attention a particular point of order, and in deliberating on it I wondered if there were any other members who could contribute information to help the Speaker.

Mr Conway: I just wanted to say that I knew Mr Allen was hard at work on a very learned piece of work at the University of Toronto. Like all members, I am sure, I want to add my congratulations and make the observation that it was once said, I think wisely and well, that the Intercolonial Railway, on which the honourable member of the press gallery is now expert, was built not so much to carry passengers as to carry elections.

Hon Mr Allen: This is a case where there is no attempt to dissociate. This is an occasion where I am happy to see that a namesake has distinguished himself and that one of our colleagues has the drop on me and has called it to our attention.

It certainly is a very fitting observation that the member has made and that has been contributed to by the opposition party. I want to convey our congratulations to Gene Allen for not just quality of research, but also the institution that he did it at, which happens to be my own alma mater. So there are many points of contact that my namesake and I share in this undertaking.

I am sure this will be a matter of relish to his colleagues in the press gallery who will now all be assiduously

enrolling in graduate programs at universities across Ontario. I am sure all of them will soon be dignified in their graduation celebrations with doctors of this and doctors of that and will be coming back here to the press gallery and giving us an even harder time than ever because of the skills they have learned in those places. Our congratulations to Dr Allen. We look forward to many more days and months with him in this place.

The Speaker: To the member for Leeds-Grenville, I listened carefully to the presentations by the three members, and unfortunately you do not have a point of order.

ORAL QUESTIONS

MINISTERIAL RESPONSIBILITY

Mr Scott: As a member of the House who is trying to get his law practice started, I want to say that I welcome the retail business holidays amendment act. I think in this recession it will provide thousands of hours of productive and remunerative work, for lawyers, on behalf of municipalities and individuals all across the province. It must have been designed in a late night at Yuk-Yuk's. But could I turn to a more serious matter, Mr Speaker?

The Speaker: Yes, a question.

Mr Scott: From the very beginning, the Solicitor General has said that he gave a written guideline to his constituency office staff. Even yesterday, when all was falling around him, he said, "...I have given a written communication to my staff, of course I stand by that."

The only written communication is the Agnew memo of 25 February. As anybody who can read it will see, the Agnew guideline in fact permits correspondence with members of a tribunal as long as it is on the member's own letterhead and signed as an MPP.

The Solicitor General now attempts to deflect criticism of himself. He is turning this whole thing into a virtue by blaming two staff members in his office, as he did when he went out of here yesterday with the press.

Does the Solicitor General not understand that the staff members in his constituency office did precisely what the Agnew memo directed them to do, assuming that a justice was a tribunal? How can he blame these innocent constituency members when it was not until 24 April that he gave for the first time the directive in writing that the Premier's guidelines require?

Hon Mr Farnan: Let me just say again, through a verbal communication and in conjunction with that verbal communication, the written communication clearly delineates separation and arm's length from the judiciary.

My senior member of staff interpreted correctly the direction of both those oral and written directions. As it happens, a part-time member of staff, I believe, made an honest mistake trying to help an 82-year-old constituent. We have put in place procedures that ensure that kind of mistake cannot take place again.

My answers today remain the same as they have been consistently since this issue arose.

1420

Mr Scott: The one consistent feature of this whole affair is that the minister's answers do not remain consistent but are changing day by day, as the Toronto Star recognized in its editorial today.

Now let's talk, I say to the minister again, about the verbal advice which he persistently says he gave to constituency staff; he has consistently done it. Outside the House yesterday, he told the press what he did not say in here, that he told all the employees in his constituency office last October there should be no contact with judges. That is the first time we heard that. He also conceded to the press outside, after hanging out the Premier to defend him, that two of the three employees in his office were not aware of the prohibition, as they say, as late as March 1991.

With respect to a part-time member of his staff, he said, "I am not going to deny that there is a conflict between what I have said and what the part-time member has said." Will the minister tell us whether in fact he spoke to the part-time member and when he spoke to that part-time member?

Hon Mr Farnan: Again, long before the conflict guidelines arose, from the very first day that I discussed with my deputy minister—

Mr Scott: Did you speak to the part-time member? Because she denies.

The Speaker: Does the member for St George-St David have a final supplementary?

Mr Scott: I would like an answer to the question. I cannot get an answer to a simple question.

The Speaker: I take it that the minister has more to say and that he was waiting for an opportunity to say it.

Hon Mr Farnan: From the very first meeting I had with my deputy minister, as I have explained before, the most important fact at that meeting was that there had to be arm's length. I went back to Cambridge and I have preached the gospel of separation from that time on. All of those members, in my view, have been informed. Because one transmits a message does not mean that a person hears it. Let me give an example. I have transmitted a message 20, 30 times to the member for St George-St David. He has not heard it yet. What can I say?

Mr Scott: I think everybody sees the importance of the question, and maybe the press will be able to extract it: Did the minister speak to the part-time member—because she knows nothing about it—and when?

My second supplementary is this: This is the business of Parliament—

Interjections.

The Speaker: Order. If members would like to have an actual question period, then I would suggest a little bit of decorum would be helpful.

Mr Scott: When the Solicitor General mounted his defence in this matter a month ago, he said to the House and outside it that he had a written direction to his staff and that he had spoken to all his constituency staff "frequently, persistently and regularly." Those words from Hansard are his, not mine.

Now, a month later, picking at it, because he will not come clean, what we have found is that there is no written direction at all. He conceded yesterday in the scrum that he had not spoken at all to one of his staff; he concedes that the second member of his staff does not recall him speaking to him or her, and that in regard to the third member of his staff, no comment is made by her in the RCMP report at all. The fact of the matter is that the Solicitor General's defence, so grandly mounted a month ago, is crumbling before our very eyes as a result of inconsistencies that have been noted everywhere in the press.

The Speaker: And the interrogative part?

Mr Scott: The Solicitor General, I am sure, recognizes that he is the second-senior law officer of the crown in the province of Ontario. Does he not understand that apart from the merits of the dispute—

Interjection.

The Speaker: Would the member for Guelph come to order?

Mr Scott: —his responses to it have besmirched his high office and require that in the public interest he should leave it now?

Hon Mr Farnan: Even in the member's question he clearly identifies the fact that the senior member of my staff not only heard but actually implemented the direction that I gave. A part-time member of my staff, with the same opportunity, made a mistake by not interpreting and not applying the directions that I had given and that were supported in a written context. The member himself clearly identifies that the directions were given, because in fact my staff acted upon those directions.

Mr Nixon: I too have a question of the Solicitor General. I was interested to hear his answer to the first question this afternoon, in which he reiterated his stand that he had instructed his staff, as he has repeatedly said, not to communicate with anyone in the judiciary and to maintain an arm's-length position. This is in spite of the fact that the RCMP report indicated that his staff, at least some of them, were unaware of those directions and that yesterday in the scrum he had indicated that he shared some of the blame for the staff being ill informed.

On the basis of that information, how can the minister now say that his staff simply made an honest mistake, if he himself reiterates in this House that they were informed directly by himself and his senior staff? I do not believe that such an honest mistake is possible. Either they were told to write the letter or they were not informed that they should not write the letter. Which was the correct situation?

Hon Mr Farnan: Again, one member of staff heard the directions. In conjunction with the written documentation, this staff member comes to the right conclusion and follows the intent of my direction. That is one member of staff.

Another member of staff, a part-time member of staff, is faced with a situation where an 82-year-old constituent comes in. He has got a parking ticket from Toronto. He has not been to Toronto. She calls the courts; she gets a direction from the courts. That direction is in contravention of

those repeated directions that I had given, but I believe she was working out of an honest desire to help an individual.

A great mistake was made, but I stand by the fact that the directions I have given are very clearly separation, arm's length.

1430

Mr Nixon: The honourable member was in the House in opposition when one of his Liberal predecessors received a call in the middle of the night that one of her constituents was being harmed at the police station. She went to see if that was so. When she found it was not so, she returned home.

Can the honourable member recall the fact that he and his colleagues pilloried her for that circumstance whereas he, under these circumstances, is refusing to accept any responsibility as minister? Can he not recognize the inequity and unfairness of his position, and that he must reconsider it for the reasons that have been put forward by my colleague the member for St George-St David?

Hon Mr Farnan: Surely the Leader of the Opposition can clearly see the difference between a colleague of his who directly—I am not saying that the consequences were not harsh, but I am saying that member went directly to the police station. If I, under any circumstances, personally called a judge, if I picked up a telephone and called a judge, if I went to one of my staff and said, "I want you to call a judge"—the difference is that the minister in the Liberal government was directly involved in the event. This minister is not.

Mr Nixon: I think the big difference is that no Liberal minister contacted a judge, either directly or through his or her staff. The minister has indicated that never before has anyone offered a resignation under these circumstances. The Premier, in defending the indefensible, has said that somehow the Liberals are vindictive in this regard, and yet every editorialist, every reporter who has dealt with this who has any heft or significance, has called upon the minister to resign. The minister is aware that the Windsor Star says the Solicitor General should do the honourable thing. The Toronto Star particularly, in the editorial today, said, "What is Farnan waiting for?"

Perhaps I should put the question to the minister this way: Has he, at any time, offered his resignation to the head of the government in association with this matter and if not, when is he going to do so?

Hon Mr Farnan: Very clearly, there were incidents that were investigated by the RCMP. The RCMP report has come out. It exonerated both myself and my staff from any criminal activity. In addition to that, I have reiterated constantly that I acted in transmitting information, both verbally and in writing. When you have done nothing wrong, there is no need to resign, period.

Mr Scott: You are turning this into a virtue, for God's sake. Give us a break.

The Speaker: The member for St George-St David, come to order, please.

Mr Carr: My question is to the Solicitor General as well. On 24 April in this House, he said: "So the answer is

yes, both in writing and verbally I have said there must be an arm's length from the Solicitor General to the judiciary. Yes, yes, yes." Then he said: "I have consistently reiterated to my staff that I believe in the principle of separation between my office and the judiciary. I have emphasized that." These are the Solicitor General's words. This is what he told us. Did he mislead this House on 24 April when he made that statement?

Hon Mr Farnan: Of course not. My answer to the member is the same as my answer to the member for St George-St David.

Mr Carr: On 25 April, he said, and I quote, "I want to make it very clear that both in writing, through the conflict guidelines, and verbally through myself, I have consistently repeated the principle." Then he said: "It was ingrained in my consciousness that a Solicitor General cannot be in any way associated with the judiciary. I have from the very beginning transmitted that message to everybody I come into contact with."

The RCMP report says that not everybody on the Solicitor General's staff received that message. Did he mislead this House on 25 April when he made that statement?

Hon Mr Farnan: My answer to the member is the same answer I gave to the member for St George-St David.

Mr Carr: We have heard it clearly. Last Thursday he told the House six times that he had given the message to the staff. Yesterday I counted at least seven times when he said the same thing, that he had given the message. In fact, he has on about 20 occasions said that he had very clearly given direction to his staff. The RCMP report said that a member of his staff did not have any written guidelines or directions. Somebody is not telling the truth. Who is it?

Hon Mr Farnan: I have answered the question time and again. Verbal communications, written support of those communications—it is very clear that the senior member of my staff—

Interjections.

The Speaker: Would you stop the clock, please. I realize this is a very contentious issue and that members on both sides of the House feel an emotional attachment to what is being discussed, but I really do not think it helps when serious questions are being posed, presumably expecting serious responses, that we hear far more than just one voice at a time. Among other things, the Speaker has a responsibility to be able to hear everything that is said because, when the Speaker does not hear it, somebody draws a point of order to the Speaker's attention. So I would appreciate it if we could proceed in a little more orderly way. Start the clock, please.

Hon Mr Farnan: It is very clear that a senior member of my staff heard the oral directions, the written communications, and applied my directions absolutely. A part-time member of my staff did not follow those directions. In her view and in her testimony she claims that she did not hear those. I accept that fact.

I gave my testimony to the RCMP; so did all of my members of staff. The senior member of staff followed the

direction. One part-time member made a mistake. My testimony is the same today and tomorrow.

Mr Harris: I have a question for the Solicitor General. The throne speech said, "When my government makes mistakes, it will admit them." I wanted to believe that, so when it was first revealed that the Premier's guidelines were breached, I did not immediately call for his resignation. If he will recall, I stated that if he had admitted he made a mistake, if the Premier admitted that his new guidelines were not being followed, let alone treated seriously, and that if we had an apology from both of them for that, I would accept that.

But instead of that, the Solicitor General opted to go the coverup route. Instead of the route that the government promised in the throne speech, he decided to go the coverup route. He has made a mistake. He has not apologized for that mistake being made. He has not apologized to the Premier or to the justice of the peace. He has not apologized to this House. He has not apologized to the people of Ontario for that mistake and he has not accepted responsibility. Clearly, he has not lived up to his government's promise as outlined in the throne speech.

Now that the facts are out, when is the Solicitor General going to accept responsibility for both the lack of serious attention being paid to the Premier's guidelines and for the actual breach of those guidelines?

Hon Mr Farnan: Throughout this matter we have been totally open. We have given all information, absolute information. I have very clearly indicated to the previous questioners what has transpired and the same answer applies to the leader of the third party.

1440

Mr Harris: Given the stated promises of the Premier throughout the last year, in the campaign and then in the throne speech, I want to tell the Solicitor General that on behalf of members who are all affected by this kind of behaviour, I am ashamed that the Solicitor General has attempted to whitewash over these mistakes. This is not acceptable to me, it is not acceptable to this Legislature and it is not acceptable to the people of this province. Not one of us is untouched by the Solicitor General's failure to live up to his ministerial responsibilities. Why will he not show some integrity and at the very least step aside until we can have the standing committee on administration of justice look into this matter?

Hon Mr Farnan: I am rather perturbed when a leader of a party rises in the House and in his form of questioning reduces himself to talking about whitewash, and then talks about coverup. What does that do? It debases the coinage of politics. I really do not want to be part of this kind of politics.

Mr Harris: The Premier's own conflict guidelines of 12 December promised "common sense and a well-developed sense of public duty." Clearly, the Solicitor General has shirked that duty. We are left with glaring contradictions, vague, unsubstantiated explanations for the minister of the crown, exact opposite statements from him versus the RCMP report. The public was promised by the Premier on 12 December that the minister's actions would "bear

the closest scrutiny and...ensure public confidence and trust in the integrity of government." That is what the Premier said when he made the statement in this chamber on 12 December.

I do talk about whitewash and I will tell the Solicitor General this: The whitewash is wearing very thin. I ask him to try to salvage what integrity he has left by stepping aside. When the Premier says "bear the closest scrutiny," why it is that he is afraid, the Premier is afraid and the whole lot of the members opposite are afraid to allow any scrutiny at all, let alone the closest scrutiny? Why will he not allow this to go to the standing committee on administration of justice, which is the proper vehicle to have some scrutiny of this whole matter?

Hon Mr Farnan: It is almost a joke when I hear the leader of the third party. He talks about scrutiny. I have made absolutely every document available upon request, whether it is from the official opposition or the third party. If there has been any document that has been in my power and free to release, I have made all those documents available.

I actually said that I welcome scrutiny, that I welcome the investigation, because I knew an investigation would clear my name. I have no problems with putting the cards on the table because I have done nothing wrong.

PLANT CLOSURE

Mr Kwinter: I have a question for the Minister of Industry, Trade and Technology. Earlier this morning, Kitchener's largest industrial employer, Uniroyal Goodrich, announced it will be closing at least one and maybe both of its Kitchener tire-making plants at the end of the month. If it closes one there will be 1,000 jobs lost, and if it closes two there will be 2,000 jobs lost. The company president said he made this announcement today because of widespread industry rumours and speculation that has been going on for months about the Kitchener plants.

Given this, could the minister give me some details and share with members of this House what he has been doing to try to prevent this company from losing its production and the jobs which are so important to that community?

Hon Mr Pilkey: To the member for Wilson Heights: Was he the Minister of Industry, Trade and Technology for the period 1987 to 1988?

Interjections.

The Speaker: He has to answer questions.

Mr Kwinter: The minister answers the questions, we ask the questions.

The Speaker: We do have a general routine of questions being asked and responses given, although in both cases sometimes neither are acceptable.

Hon Mr Pilkey: I just made a simple inquiry in response because I am advised that in 1987-88 a joint industry-MITT assessment of the tire industry was undertaken, and I wondered what the previous government had done to lead us to this circumstance.

In further response—

Interjections.

The Speaker: Have you completed your response?

Hon Mr Pilkey: I am attempting to do that, but it is difficult over the din of the opposition to complete the remarks.

We, as a government, are very concerned indeed by this possibility of retraction of employment levels and the cessation of business by Uniroyal Goodrich Canada in Kitchener, Ontario. There are in fact some 2,000-plus jobs that could be in jeopardy, and certainly we, as a government, have made contacts with this company at the highest level to try to ensure these employment levels and these jobs stay here in this province.

It would be a very difficult situation indeed if this employment were lost. We understand that as a result of consolidation, as a result of the purchase by Michelin last year, this company is attempting to restructure and rationalize its worldwide operations.

This government has every concern. This government stands ready to participate in any way it can to obviate any kind of negative announcement that may be forthcoming in that regard.

Mr Kwinter: There are three kinds of people in this world: Those who make things happen, those who watch things happen and those who do not even know something is happening. This minister epitomizes the third one.

If the minister had done his research and if he knew anything about that industry, he would know that the government that I represented attracted Goodyear to Napanee, put millions of dollars into that plant in Kitchener, put millions of dollars into the General Tire plant in Barrie. The minister has not contacted them. He has not been in touch with them. He does not even know what is going on and he is a disgrace to this province.

Hon Mr Pilkey: Mr Speaker, I can assure you that the previous statements are in error, that this government has in fact contacted and been in contact with this company. I must say that the remarks by the member for Wilson Heights, I think, are very condemning in that he offers them as some great expertise or some great action that was taken. I think the concern and the circumstance that have arisen today are testimony to the fact that those actions he is so proud of obviously were grossly deficient.

1450

RETAIL STORE HOURS

Mr Harris: I have a question for the Minister of Municipal Affairs. Today, an announcement was made by the government that it is going to bring in two bills. One is labour legislation to protect workers, the type of bill he would know that I would be very supportive of, although I wonder why the bill is necessary unless there is going to be substantially open shopping in those municipalities that want to shop.

However, I want to ask the Minister of Municipal Affairs this: Given that the Minister of Labour feels a substantial number of municipalities will opt to open up, given that his bill is virtually the same as the Liberals' in that it transfers all the responsibility to the municipalities—the municipalities have the final say and the only

difference is that if they wish to open, they have got to spend some money on some consultants and hearings and what not; it is a little more onerous route and it will cost a little more money—can the Minister of Municipal Affairs tell us how much of the costs that are going to be borne by municipalities to conform to this legislation the government of Ontario is prepared to pay?

Hon Mr Cooke: I think the very positive aspect of the legislation that has been introduced today is that it sets out very clearly for the entire province the principle that there is going to be a common pause day for the people of this province. That is very clear. That is not in dispute. It says there is one exception to that, that if the municipality feels there should be a tourism area, the municipality could make that decision, and that decision will be made at the municipal level. What we have done very clearly in the legislation that has been introduced today is we have introduced criteria, and those criteria will mean it will be fair and even across this province, something neither the Liberal Party nor the Tory party could ever do in the past.

Mr Harris: The Liberal government introduced legislation that had a common pause day, unless a municipality did not want to have that pause day, and it is not common obviously and it is open. The minister has a common pause day, except if the municipality does not want that common pause day. In the criteria that the minister has laid out, there is not one municipality in Ontario that could not qualify for this, that does not have a tourist appear before it somewhere throughout the year, if it wishes to be open on Sunday.

Who is going to pay the costs? Who is going to pay for all the hearings? Who is going to pay for the consultants? Who is going to pay the court costs when this legislation is going to be challenged? Is it going to be the municipalities, or is it going to be the government of Ontario, which brought in this disastrous bill?

Hon Mr Cooke: I could run through all the initiatives that this government has announced so far since we have been in power that the municipalities have very much appreciated, because we are not the type of government that offloads to the lower level of government. We are not like our friends in Ottawa, who offloaded billions of dollars to this government. We have decided there is going to be a real partnership, and that partnership—

Interjections.

The Speaker: Order.

Hon Mr Cooke: I guess the Conservatives do not want to have an answer.

Hon Mr Mackenzie: On a point of privilege, Mr Speaker: I am sure I heard the leader of the third party indicate that I had indicated there would be all kinds of municipalities opening up. I do not know that and I do not know where I indicated that.

Mr Harris: I am not sure that was a point of order, but if it was I would like to respond and say that if in fact the minister is going to have a common pause day, why does he need any legislation for employees who may not want to work on that day that he says is commonly closed?

Interjections.

The Speaker: Order. The member for Willowdale come to order.

The Minister of Community and Social Services has a response to a question asked yesterday by the member for Burlington South.

Hon Ms Akande: Yesterday I was asked a question by the member for Burlington South concerning the establishment of two non-profit child care services and the fact that they were remaining empty at this time. I wanted to correct the information and to supply the answer.

First of all, the member was referring to two of three child care centres. One of them has not—

Mr Elston: On a point of order, Mr Speaker: While I think we in this House like the idea of the minister responding to a question that was asked by the member for Burlington South, it usually is good etiquette of the member to answer the question and at least give notice of the answer coming to the member so that he or she, in this case he, can be in his place, because there is a tradition as well that there be a supplementary allowed to the reply.

I would ask in this case if we could perhaps defer the answer being received by the House until the member for Burlington South arrives, either today, or if he is not in, perhaps he will be here tomorrow.

The Speaker: The member for Bruce raises a point of order, and you are absolutely right. I did not realize until the minister had started that the member for Burlington South was not in his place. The mistake is mine, and if you would be so—

Interjection.

The Speaker: Oh, you read minds as well. If you would add a minute to the time, I will recognize the member for Huron with his question.

COUNTY RESTRUCTURING

Mr Klopp: My question is to the Minister of Municipal Affairs. As the minister is aware, the previous Liberal government told the counties that they should do county studies—

Interjection.

The Speaker: Order, the member for Markham. Would the member for Huron place his question, please.

Mr Klopp: The previous Liberal government told us and our counties that we should do county studies. Many of us thought very much back to the Tories when we thought of the regional government syndrome, so we were very concerned. We thought, though, that we should do studies, but we had to make very sure that we were in charge of those studies. We asked the previous government to have that addressed.

The good news was that the previous Liberal government allowed us to do the study that we were in control of. The bad news was that they would not give us any money to help with that study. That was then. What can the minister tell the people of Huron about how the government views the Huron county study now?

Hon Mr Cooke: I certainly appreciate the question and the interest that the member has demonstrated over the last number of months about the need for effective local government but also the need to have the local government and communities involved in shaping that local government.

The county of Huron certainly showed leadership by beginning its county restructuring study on its own, because it had not received assistance from the previous government. I am very pleased to indicate to the member today that we in the Ministry of Municipal Affairs in this government have indicated to the county of Huron that we want to contribute to that, and we have indicated a contribution of \$36,000 towards this study.

NORTHERN ONTARIO

Mr Ramsay: I would like to give another chance to the Minister of Industry, Trade and Technology to show that maybe he cares and is concerned about jobs in Ontario. The Liberal budget task force is travelling across the north this week, and it appears that the Liberal northern dream is now becoming the NDP northern nightmare for northerners, because on Friday, as I hope the minister is aware, Abitibi-Price closed its Thunder Bay division, throwing 400 people out of work, more northerners out of work and on the bread lines in northern Ontario. We have to add Abitibi-Price now to the list that starts by including Algoma Steel and Spruce Falls and Denison Mines, to name a few that are threatening to close or are now laying off people.

What is it going to take for the minister to wake up and start to be proactive, rather than reactive, and come out with some innovative plans to help jobs in northern Ontario?

Hon Mr Pilkey: We, of course, are being proactive in one of the most important ways that we can be proactive—although it will raise some concern from members opposite—which is to get this federal government to get off this kick of continuing this recession it has made here in Canada. Some of the most salient points and concerns that are affecting these northern industries, and industries in southern Ontario and all throughout Ontario, are in fact the high interest rates, the high dollar, the GST and any number of other federal policies that are negatively impacting these companies.

If members opposite do not want to believe me, they need simply pick up a newspaper or trade journal or report from any business magazine to see the CEOs of those companies expressing those very concerns.

In addition to that, in a positive vein though, the Ministry of Industry, Trade and Technology will continue, through the Minister of Northern Development, through the Ontario Development Corp, through continued consultations with the presidents of those companies and the unions representing those workers, to offer assistance wherever we can and where it is in our purview. We have done that; we will continue to do so. We very much, however, urge the federal government to get off this made-in-Canada recession and produce policies that are more effective and allow our companies to be competitive again.

Mr Ramsay: It is sad that the minister is crying the woes of the world and all the problems of the world when he is the Minister of Industry, Trade and Technology, which means that he is empowered to come up with some solutions to help the workers of Ontario. Where are the retraining programs that will enable Ontario workers to maintain their jobs in a competitive world? It is his responsibility to get those going, and northerners expect him to be coming up with those innovative programs.

Northerners would rather see paycheques than severance cheques, and that is what this government is about, severance cheques. We want to see some paycheques. What is the minister doing to stem the lack of confidence people have in an NDP Ontario, so that we will now have investment and job creation rather than job loss and plant closings?

Hon Mr Pilkey: I agree with the member opposite that under the previous government the retraining and skills training programs in this province obviously, by the record, had not worked. That is why this new government, through the Ministry of Skills Development, is developing a new Ontario training and adjustment program which will be before this Legislature very soon. I hope that it, coupled with added incentives in the education area, will in fact allow Ontario workers to be better trained and more flexible to be able to cope with the changing global economy, as we now find it.

1500

POLICE SERVICES

Mr Arnott: My question is for the Solicitor General and it pertains to police staffing at the Ontario Provincial Police detachment in Guelph, which serves the south and east part of my riding of Wellington. The minister will recall that my first appeal to him in this matter was contained in a letter dated 1 October 1990, the date he assumed the office of Solicitor General. In the Legislature, on 8 April 1991, I again raised this issue.

Subsequently, as a result of several letters from municipalities calling for action, the Solicitor General, in a letter dated 25 March 1991, indicated to the reeve of the township of Eramosa that the OPP province-wide review, which had been in the works for well over a year, had been completed.

Today is 4 June. Surely the results of this province-wide review are available. Would the minister explain to the Legislature his reluctance to release the findings of this report?

Hon Mr Farnan: I have to say the member is quite accurate in all the details that he has placed before the House. The review is presently being studied by myself and my staff, and we will be coming forward with recommendations to address the matter.

Mr Arnott: Just this past weekend, in conversation with one of my constituents in Puslinch township, I was told that his home had been broken into four times. Recently there has been a rash of break-ins in his neighbourhood. According to police statistics, occurrences in the area are up 10% per year over the past four to five years. When is the Solicitor General going to forgo his

preoccupation with damage control and pay some attention to the substantive issues under his responsibility which are now being neglected?

Hon Mr Farnan: There is no question about it, our policing services are doing an extraordinarily good job with limited resources. As we look at the recommendations of the report, it is very clear to me that we will have to bring forward recommendations that may indeed call for structural review.

We are aware of the situation, but I want to point this out and I want all members of the House to support me in it: Our policing services, with the resources available to them, are doing a magnificent job.

RURAL ECONOMIC DEVELOPMENT

Mrs Haslam: My question is for the Minister of Agriculture and Food. Now that the ministry has responded to short-term financial concerns of farmers with \$50 million in interest assistance and \$40 million for the gross revenue insurance plan and a commitment to the net income stabilization account, I would like to ask about long-term approaches to community development.

The Ontario Federation of Agriculture and others stress the need for a complete reassessment of rural policy. Bearing in mind that a large majority of rural residents are employed in the threatened manufacturing sector and other industries, could the minister tell us what his strategy will be in addressing the wider issues affecting all rural citizens?

Hon Mr Buchanan: The member for Perth seems to provide more questions for Agriculture and Food than perhaps any other member in the House, and I thank her for that.

We have addressed some of the short-term concerns in agriculture. We are now looking at rural community involvement as a priority. It is mentioned in the new strategic plan for the ministry. We want to look at ways of stemming the exodus of people from the rural community to the cities. In order to do that, we have to come up with proactive, positive suggestions to maintain people in rural communities.

A team within my ministry is looking at the issue of rural economic development. I hope we can work with other ministries and talk to my cabinet colleagues. This is a co-operative effort from the government of different ministries working together to address some of the long-term needs in rural Ontario.

Mrs Haslam: As the minister knows, some of the recommendations of the agricultural finance review committee, in the Hayes report, dealt with issues of rural development. In particular, a variety of co-operative ventures was suggested to foster rural development. Specifically, the committee recommended programs designed to channel savings into rural development projects. Can the minister explain how these programs will be incorporated into this strategy?

Hon Mr Buchanan: The Hayes report suggested that we look at ways of having rural people, in fact city people as well, invest, if you will, in rural Ontario in terms of

agriculture, but perhaps also in other rural initiatives that would provide new opportunities for people in rural Ontario.

That will be looked at in conjunction with the long-term finances which Mr Hayes is now looking at, and hopefully we will have a program to provide something in the fall so that people themselves in rural Ontario will provide the funds and the investment for rural Ontario, rather than having to rely entirely on the government to provide funds for investment.

ONTARIO HUMAN RIGHTS COMMISSION

Mr Curling: My question is for the Minister of Citizenship. The minister is in receipt of an investigative report from the Ombudsman on the case backlog at the Ontario Human Rights Commission. The minister would be aware of the Ombudsman's recommendation that immediate action is required to eradicate the commission's backlog and rectify the inadequacy of its case handling procedures.

The Ombudsman also makes the following two points: "The commission's investigative action with respect to the complaints brought by these individuals was unreasonable and oppressive. The commission's omission to take adequate steps to enable it to achieve the objectives set out 31 March 1991 in its case management plan is unreasonable." The third observation is, "The commission's omission to effectively carry out its mandate is unreasonable."

I am waiting for this government to bring to this important justice issue the same seriousness of purpose with which it is attempting to address the backlog in the courts. Justice is being denied by the minister by this inaction. Will the minister tell this Legislature what she is doing to address the serious concerns with the commission's credibility and its inability to fulfil its mandate? Will the minister, in light of the Ombudsman's report, outline her plan or, more importantly, her timetable for action, if there is one?

Hon Ms Ziemba: I too have a very great concern with the backlog, as I did on 6 September, when I realized that so many consultants' reports had come through which previous governments had totally ignored and not carried through with.

We have already set up a plan of action. There is a new case management program in place. We looked at that in the six months to see how that could work and whether that would achieve its goal. Unfortunately, it has not addressed the issue, so we are now setting out to approach another form of case management.

I also want to say that what I have done is appoint five new commissioners who will start in July—and the members have interviewed those five people—who have a past history of civil rights and civil liberties and human rights, who cannot wait to get on to the human rights commission to start some new plans. As an arm's length relationship with this ministry, that is exactly what we have to do; that is, to have the commissioners take charge of the situation and make sure we have a justice system in Ontario that is true to everybody.

1510

Mr Curling: It would seem that the minister has no plan to get the commission back on track. We hear about blaming previous governments and all that. That is not a way for a plan.

I heard the minister comment that we have appointed these commissioners. I do not think we have appointed them yet. I think they were interviewed. I think the meeting is tomorrow or something like that.

The credibility of the commission has been badly shaken by reports of discrimination within the commission itself. As well, questions have been raised with respect to the \$3 million which was allocated to the commission to facilitate the hiring of additional front-line staff to help reduce the case backlog. Nine months have passed and still nothing has been done to address the concern that the minister has already admitted she was aware of long before the election.

Although her party has consistently taken the position that the commission was underfunded and under-resourced, which was said by the Minister of Skills Development, clearly the minister felt that the money allocated by the previous government was sufficient or she would not have frozen funding for this commission. The minister chooses to respond to what her party describes as underfunding by freezing funding. Perhaps she too was questioned about how effectively the money was used.

Will the minister commit to an examination of the commission's finances before a committee of the Legislature? Will she take this one small step towards restoring the commission's credibility?

Hon Ms Ziemba: I do not think we have to appoint another commission, because there have been studies done in the past and we have to look at those recommendations.

The member discussed the \$3 million that was allocated last year to look at case management. Unfortunately, that \$3 million did nothing to relieve the backlog. We looked at that again and saw that if the dollars were not being addressed and if that could not help the backlog, then other measures had to be taken. We are looking at a whole process of how we can look at the backlog and a new way of case management. It is something that I think can be addressed and done. I think, very truthfully, we are moving towards that. We are seeing the results and we will see the results.

Unfortunately, we came to this position with this enormous backlog and nothing having been done on this backlog for five years. Five years ago the Office of the Ombudsman said that the backlog was a critical issue, and nothing was done. We have to make sure we address that issue, and we are moving towards that.

APPOINTMENT OF ONTARIO HYDRO PRESIDENT

Mr Jordan: My question is for the Minister of Energy. As she knows, the board of directors for Ontario Hydro has appointed Alan Holt as president and chief executive officer. The board cites Mr Holt's vast experience serving Ontario Hydro successfully in many capacities. He has the engineering and administrative experience. For-

mer president Bob Franklin ranked him as an outstanding executive.

Based on a letter from the Premier to Mr Franklin on 16 May, this government will introduce amendments to the Power Corporation Act which will see the chairman established as chief executive officer. Given the fact that the board endorses Mr Holt as president and chief executive officer, why does the minister now want to give the chief executive officer responsibilities to the government-appointed chairman?

Hon Ms Carter: I would like to point out that until 1989 the chairman of Ontario Hydro was also the chief executive officer, and had been for many decades, and that in other provinces of Canada it is normal for the chairperson of the Hydro facility to be also the chief executive officer, so we are in a sense just reverting to normal. As the opposition member knows, the previous chairperson was also president and CEO, so that in effect the question did not arise. By strengthening the position of the chairman we are strengthening the link between the government and Hydro and the control that the public of Ontario has over this utility which does in fact belong to them.

Mr Jordan: How does the minister respond to the statement in the letter from the board where it states, "Mr Eliesen has also requested that the board, pending any change in the legislation, appoint him as president and chief executive officer"? He has not as yet even been approved by committee as chairman of Ontario Hydro but he has already now, according to this letter, asked the board, pending the change in legislation, to appoint him chairman and chief executive officer.

The members of the board state, "He does not have the experience and the proven managerial record to qualify as the chief executive officer." The minister said she would be more comfortable if she had a chairman who was in favour of her policies relative to nuclear power. She has succeeded in that manner, in that direction. Does she not think it is now important to listen to the directors and the board and have a chief executive officer who does have the administrative capabilities, who has come up through the company—

The Speaker: Would the member conclude his question, please?

Mr Jordan: —and will be of great assistance to the chairman and to the people of Ontario in managing that utility?

Hon Ms Carter: There are several points here.

First of all, although the Hydro board did indeed have the right to appoint the new president, it was rather unusual that it would do so when it was only at half strength and was about to be joined by new members.

As regards the new chairman, Marc Eliesen, he has not formerly been employed by Ontario Hydro but he does have extremely relevant experience. He is a proven administrator. He was chairperson of Manitoba Hydro and did a good job in that capacity.

The suggestion from the rump, as I call them, of the Hydro board was that the new president needed to be somebody who had been working within Ontario Hydro. I

should point out that Bob Franklin, who is just leaving that position, was not a previous employee of Hydro when he was appointed and everybody agrees that he indeed did a great job in that position. I have every expectation and confidence that Mr Eliesen will do an extremely good job in that position.

HUDSON'S BAY CO

Ms Harrington: My question is for the Treasurer. We have heard in the news that the Hudson's Bay Company is considering relocating its corporate headquarters to Buffalo. Does the Treasurer know if this is true?

Hon Mr Laughren: I think it is important to assure members and others who might be listening or watching that this is not the case. As a matter of fact, Ontario is such a good place to do business and invest in that the Bay will be investing \$15 million in new money in the next couple of years.

CROSS-BORDER SHOPPING

Ms Harrington: Mr Speaker, I rise on a point of personal privilege. Last Thursday, the member for Ottawa-Rideau quoted from the Niagara Falls Review and said the following: "The member for Niagara Falls...said that government workers in particular should be required to shop Canadian because it is Canadian taxes that pay their wages." She went on to ask the government if it was considering requiring government workers to shop in Ontario. What was actually said in the paper in response to the Ontario Teachers' Federation press release encouraging teachers to shop in Ontario is this:

"Most important is the change in the mindset of the consumers who cross the border to shop," Mrs Harrington said. "It's got to come from the grass roots. Government workers in particular should be convinced to shop Canadian because it's Canadian taxes that pay their wages. These people have good jobs paid by the government. Encouragement to buy in Canada should come from their own ranks because it's their pay."

The word "convinced" is significantly different from the word "required." I believe the Liberal member should know that the difference between the words "convinced" and "required" is also the difference between democracy and a totalitarian state.

The Speaker: I thank the member for the point of personal explanation.

1520

PETITIONS

OATH OF ALLEGIANCE

Mr Harnick: I have a petition addressed to the Legislative Assembly of Ontario. It reads as follows:

"We, the undersigned, affiliated with the Royal Canadian Legion, North York Branch 66, either through membership or friendship, wish to add our voices to the protest regarding the removal of the oath to the Queen for the Metro Toronto police department. This action only further erodes the heritage of Canada at a time when unity is an issue not only for those born and raised in this country, but also for those who chose Canada as their homeland."

I have 169 signatures. My name is affixed.

Mrs Sullivan: I have a petition addressed to the Legislative Assembly of the province of Ontario reading as follows:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the assembly shall demand that the government of Ontario rescind its decision to eliminate the oath of allegiance to the Queen of Canada for police officers, who must uphold laws that are proclaimed in the name of Queen Elizabeth II."

I have attached my signature to the petition and concur with it.

LAND REGISTRATION

Mr Jordan: I rise in the Legislature today to present a petition from the residents of Almonte in the county of Lanark regarding the closing of the land registry office in Almonte.

"We, the undersigned citizens of Almonte, North Lanark county and surrounding area wish to here state our profound opposition and protest to the closing of the Almonte registry office.

"We are outraged that a basic government service, which has serviced this area for over 100 years, is being taken away. We are outraged that \$1 million was spent on a new office less than one year ago and is now being closed. We are outraged at the increased cost in legal and surveying fees that will result and in the inconvenience and loss of service to the public.

"The registry office has been used for decades by ordinary citizens, not just lawyers and title researchers and other professional groups. It has been used for research and checking property records and heritage of the area. Not one good reason has been given as to why ordinary people should lose this facility and be forced to drive to Perth or hire someone there to look into a matter before going to one's lawyer or surveyor.

"This decision is completely outrageous and is designed to satisfy the government bureaucrats and politicians, not the people of Almonte and Lanark county."

REPORT BY COMMITTEE

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

COMITÉ PERMANENT DE L'ADMINISTRATION DE LA JUSTICE

Mr White from the standing committee on administration of justice presented the committee's report and moved its adoption:

M. White du comité permanent de l'administration de la justice présente le rapport suivant et propose son adoption :

Your committee begs to report the following bill without amendment:

Bill 87, An Act to amend the Highway Traffic Act with respect to Volunteer Fire Fighters.

Projet de loi 87, Loi modifiant le Code de la route relativement aux pompiers auxiliaires.

Motion agreed to.

La motion est adoptée.

Bill ordered for third reading.

Le projet de loi devra passer à l'étape de troisième lecture.

INTRODUCTION OF BILLS

RETAIL BUSINESS ESTABLISHMENTS STATUTE LAW AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT DES LOIS EN CE QUI CONCERNE LES ÉTABLISSEMENTS DE COMMERCE DE DÉTAIL

Mr Farnan moved first reading of Bill 115, An Act to amend the Retail Business Holidays Act and the Employment Standards Act in respect of the opening of retail business establishments and employment in them.

M. Farnan propose la première lecture du projet de loi 115, Loi modifiant la Loi sur les jours fériés dans le commerce de détail et la Loi sur les normes d'emploi en ce qui concerne l'ouverture des établissements de commerce de détail et l'emploi dans ces établissements.

Motion agreed to.

La motion est adoptée.

CITY OF OTTAWA ACT, 1991

Mr Chiarelli moved first reading of Bill Pr31, An Act respecting the City of Ottawa.

Motion agreed to.

EMPLOYMENT STANDARDS AMENDMENT ACT (NOTICE OF TERMINATION), 1991

LOI DE 1991 MODIFIANT LA LOI SUR LES NORMES D'EMPLOI EN CE QUI A TRAIT AU PRÉAVIS DE LICENCIEMENT

Mr Dadamo moved first reading of Bill 116, An Act to amend the Employment Standards Act with respect to Notice of Termination.

M. Dadamo propose la première lecture du projet de loi 116, Loi portant modification de la Loi sur les normes d'emploi en ce qui a trait au préavis de licenciement.

Motion agreed to.

La motion est adoptée.

1530

ORDERS OF THE DAY

House in committee of the whole.

La Chambre en comité plénier.

FAMILY SUPPORT PLAN AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI SUR LE RÉGIME DES OBLIGATIONS ALIMENTAIRES ENVERS LA FAMILLE

Resuming consideration of Bill 17, An Act to amend the Law related to the Enforcement of Support and Custody Orders.

Reprise de l'étude du projet de loi 17, Loi portant modification des lois relatives à l'exécution d'ordonnances alimentaires et de garde d'enfants.

Hon Miss Martel: I would ask for unanimous consent to stack the votes out of committee of the whole at the end

of the bill. We have also agreed to defer the votes until tomorrow as well.

Agreed to.

Section/article 4:

The Chair: When we had our last meeting of the committee of the whole the following section was discussed, section 4 of the bill, proposed subsection 3.4(2.1) of the act. Mr Hampton has moved that section 3.4 of the act, as set out in section 4 of the bill, be amended by adding the following subsection:

"(2.1) If the support order has been assigned to an agency described in subsection 33(3) of the Family Law Act, 1986 or if there are arrears owing to the agency from a past assignment, the court shall not suspend the support deduction order in the circumstances described in clause (2)(b) without the agency's consent."

Vote deferred.

Le vote est reporté.

The Chair: Mr Wessinger moves that subsections 3.4(5) and (6) of the act, as set out in section 4 of the bill, be struck out and the following substituted:

"(5) The director is not a party to a motion brought to suspend the operation of a support deduction order; however, if the payor brings a motion under subsection 3.8(6), the director must also be served with notice of the motion and may be added as a party."

Mr Wessinger: As originally drafted, this subsection named the parties to the support order as the parties to a motion brought to suspend the operation of a support deduction order. This could be interpreted so as to prevent the addition of the Minister of Community and Social Services or other statutory assignee of the support order as a party to the motion. It is important that the assignee have the right to appear at the motion, which can affect the assignee's interests in the order.

Vote deferred.

Le vote est reporté.

The Chair: Mr Harnick moves that section 3.4 of the act, as set out in section 4 of the bill, be amended by adding the following subsections:

"(11.1) Despite any other provision of this section, a court that makes a support deduction order shall immediately suspend its operation if the payor requests the suspension and agrees to pay to the director the amounts owing under the support order to which it relates and the court is satisfied that the payor is likely to make the payments.

"(11.2) A suspension order referred to in subsection (11.1) is terminated if the payor, without an explanation that is acceptable to the director, fails to make a payment under the support order when it is due.

"(11.3) The support deduction order is reinstated when the suspension order is terminated under subsection (11.2)."

Mr Harnick: The purpose of this amendment is to take a person out of the system for collection if that person has a demonstrated track record of paying without the necessity of a government agency becoming involved. The

purpose behind this amendment deals with many aspects that possibly could make this bill better than it is.

We know that past experience with the support and custody legislation indicates that there are far too many people in the system and not nearly enough people to administer the system. We know, and the evidence at the committee hearings indicated, that in many jurisdictions there would be one case worker trying to collect arrears from 500 or 600 people, far too many to make the collection proceedings a possibility.

The elimination of the 25% of those who pay without the necessity of a government agency becoming involved would make those ratios lower. They would make this bill possibly successful and they would make the job of those people within the support custody agency much easier.

The idea of a garnishment proceeding being eliminated, in and of itself, being the element that could make this bill a success is not there. What this bill has essentially done is remove the garnishment proceeding. However, the difficulty still remains that those who are in arrears have to be found, and if there are too many of them it would be impossible for the staff people to locate the individuals who are in arrears in order to have the automatic deduction come off of their paycheck.

Those 25% who pay should not be in this system. The amendment I have brought avoids the necessity of clogging the system with those individuals. It also avoids those individuals who do pay and who are responsible being stigmatized by their employers as being people who have to have a government agency chasing them to make good on their obligations. Certainly their self-respect is something that should be considered and that this bill does not consider.

1540

The other difficulty we have dealing with this legislation is that we have some \$300 million that we know is in arrears. The government has indicated to us that those arrears are primarily caused by people who are avoiding the system. That is not exactly the case. Many of those people who are in arrears are in fact people who are paying, but cannot afford to pay the amount of money that the order has stipulated they pay. The alternative they have is that they must go back to court and they must seek a variation of the amount of the order against them.

We heard in the hearings that people who have support payment orders against them cannot afford to go back to that court because they need representation. Once they have that representation they cannot get a date to appear before that court because the courts are so clogged, and the remedy that they should have available to them is not available to them. The result of that is that they remain in arrears and the cumulative effect of those arrears keeps growing and growing to the point where they can never rise and get their heads above water. The result is that a great many of those individuals are going underground and avoiding the system altogether.

Certainly this bill will not do anything to correct those situations. Because of all of those people who are attempting to make payments but cannot make the payments to the extent to which they are obligated, it makes abundant

sense to take out of the system those people who are payors who do not need a government agency overseeing their payments so that the agency has an opportunity to be successful with those people who have to be found before their paycheques can receive the automatic deduction.

This amendment does exactly what we need done in order to protect these individuals. If the members take a look at subsection 3.4 (11.1), it says:

"Despite any other provision of this section, the court that makes the support deduction order shall immediately suspend its operation if the payor requests the suspension and agrees to pay to the director the amounts owing under the support order to which it relates and the court is satisfied that the payor is likely to make the payments."

The payor must request the suspension, the money still remains payable by him directly to the director, and the court has a determination to make to ensure that this individual will make those payments.

The next subsection deals with termination of a suspension order and states:

"A suspension order referred to in subsection (11.1) is terminated if the payor, without an explanation that is acceptable to the director, fails to make a payment under the support order when it is due."

If that individual who is excluded from the system makes a default and does not pay when he is obligated to pay, the suspension order is automatically terminated. The only way that suspension order can be resurrected is by means of an explanation acceptable to the director, so certainly the protection is there if it is needed. I submit that this is a good amendment in that regard.

The other aspect that I wish to draw to members' attention is section 3.4, which is the section that permits suspension of a support deduction order. That section states as follows:

"(1) A court that makes a support deduction order may immediately make an order to suspend its operation or the court may, on motion, subsequently suspend its operation."

Then conditions to do that are set out:

"(2) The court may suspend a support deduction order under subsection (1)...only if,

"(a) it finds that it would be unconscionable, having regard to all of the circumstances, to require the payor to make support payments through a support deduction order; or

"(b) the parties to the support order agree that they do not want support payments collected through a support deduction order and the court requires the payor to post such security as it considers adequate and in accordance with the regulations."

If we go on, subsection 3.4(3) sets out what is unconscionable determination.

"The following shall not be considered by a court in determining whether it would be unconscionable to require a payor to make support payments through a support deduction order:

"1. The fact that the payor has demonstrated a good payment history in respect of his or her debts, including support obligations.

"2. The fact that the payor has had no opportunity to demonstrate voluntary compliance in respect of support obligations.

"3. The fact that the parties have agreed to the suspension of the support deduction order.

"4. The fact that there are grounds upon which a court might find that the amount payable under the support order should be varied."

This indicates, if one looks at this section, the chances of anybody going to a court and proving that it is unconscionable when those elements cannot be referred to is a task that is virtually impossible. I put it to the members that these cases will be few and far between. The opportunity to seek a suspension of a support deduction order will be rare.

The other way that the support deduction order can be suspended is by the posting of security.

"(4) For the purposes of clause (2)(b), security shall be in a minimum amount equal to the support payable for four months and the security shall be in money or in such other form as may be provided for in the regulations."

This ensures that only the wealthy can be suspended from a support deduction order. The idea that you have to be able to afford four months of security, payable in money, not as security by a bond or anything of that nature—it must be an actual payment of money and it has to be four months' security—eliminates all but the very richest people who have support deduction orders levied against them. Certainly those people who are not the richest people in our society are people, in most cases, who can be trusted to make the payments on their own. This act says that they cannot be trusted because they are not wealthy. I think that this section, 3.4, is an onerous test to avoid a suspension of a support deduction order that will rarely, if ever, be met by any individuals except those who monetarily can afford to do it.

1550

I would recommend to everyone in this Legislature that my amendment, as set out in section 3.4, adding subsections (11.1), (11.2) and (11.3), does a couple of things. They make it possible for those persons who have demonstrated responsibility to be exempted from this act, and they make it possible for 25% of individuals not to clog the system, so that those who are forced underground because the system cannot respond to their needs will be found and will have to make the payments that are necessary.

I urge every member of this Legislature to vote in favour of these amendments, because they will not change the fundamental principle of this act, but what they will do is give this act an opportunity to be successful. Without this, I can certainly say past history and experience has said this act will fail. At least with these amendments we are unclogging the system to a degree. We may meet with a measure of success.

Mr Wessinger: I must say I have a grave concern over this particular amendment. I think it would seriously impair the effectiveness of the new system, or in fact even perhaps destroy the new system in its effectiveness, because the basic premise of this support deduction is to

make support deduction the normal situation, the one that applies in most cases. In effect, the whole way the system is geared is that it is the normal way except in very limited circumstances which are set out in the act. This is what we have tried to do with this legislation to try to make it apply as universally as we can.

In effect, this amendment would say that this system only applied in the case of default, because all a payor, the person who is going to pay the money, has to do is get up and say, "I would like it requested and I agree to pay it." Particularly if there is no evidence of any default in the past, the court would probably grant it. In effect, I think it would make the new system completely unworkable.

Second, I would like to add that there are various problems with respect to the amendment as well just from a technical point of view. The suspension order provides in (11.2) that the director is to make a determination whether a termination reason is acceptable or not. That is a judicial decision. I am surprised that my friend would want the system to take over the role of making judicial decisions when really it is a collection agency, in effect a collection agency, to be most effective in collecting support payments. That is the whole purpose of the legislation, and all the amendments that have been made and the whole process of the bill, to make it the most effective system we can, to make sure we have a system which can increase the level of compliance from a low at the moment maybe of 16% up to perhaps a level of 50% to 60%.

I might also add that the whole problem with respect to allowing people to opt out right at the beginning is that you would not have this basic information you need to collect if the person went into default, so you would have a problem in that regard too. The other aspect is, once you have the person on the system, you prevent the default because the payments are made regularly.

For those reasons, I would urge the members of the House to reject this amendment.

Mr Harnick: I just want to correct something that the parliamentary assistant said. He stated that all a person has to do is say, "I will pay," and make the request and then he becomes exempted from the system. If he reads the rest of subsection (11.1), it states, "and the court is satisfied." He neglects to say that there is an onus to prove that you will make the payments and the court must be satisfied, and the court is given the widest latitude. They are not confined to looking at any particular factors. They can look at any factor they want. They can look at his history of payments. They can look at his income. They can look at his ability to earn. They can look at the stability of his employment history. The idea that the court must be satisfied is certainly the initial protection that is needed.

Beyond that, what the parliamentary assistant does not indicate is that one default automatically puts the person back into the system if, without an explanation, the director is not satisfied as to why there was a default.

The protection is there. This amendment does not change the fundamental character of this bill. In crafting this amendment, I recognized that this government believes in the concept of universality. I do not believe in that concept when one views it in terms of family law. I believe

that every family is different and the circumstances affecting every family are different and that certain families will get along better without the intervention of a government agency and that certain families can in fact solve their problems and that way, by solving them among themselves, reduce the amount of friction within a family unit.

The more people have to be involved with government agencies and courts in matrimonial situations, the more adversarial the process becomes and the more difficult it is for that family to regain its self-respect and maintain the relationship among all members of the family. Universality in matrimonial law is abhorrent, but recognizing the way this government thinks and recognizing that it believes in universality in virtually every program that it will enact, I have maintained the integrity of its legislation and this particular section does not intrude on the concept of universality. I was careful to do that, in the hope that the government members would recognize that this does not offend the character of this act.

It might make this act better and it might make this act possibly a degree more successful. I do not believe it is going to be as successful as the Attorney General says it is going to be. The mere fact that they are getting rid of garnishment proceedings is not going to make it any easier to collect money for people who cannot afford the amount they are ordered to pay or for people who have escaped the system, and they are still going to escape the system.

What this does is take 25% of people with a demonstrated record of being payors, without the need to chase them, out of the system and it makes it possible for the people who have to administer this system to do so without being overwhelmed by the numbers of people they have to chase. That is all it does. It does not affect the fundamental character of this legislation. I urge the government to accept this amendment, because it will make this bill better and at the same time it will maintain the self-respect of individuals who are involved in a matrimonial dispute in which custody or access or support is involved.

To think that those other elements, such as custody and access, are not tied in to support is wrong. If we can eliminate extra friction within family units, then those other areas that are far more contentious than this can be amicably solved, we can reduce the level of tension within families and we can make this bill, to a degree, successful.

Do not get the impression that I am trying to change the fundamental nature or character of the act, because this amendment does not do that. This amendment alleviates pressure on the system and it gives people the idea that they are maintaining their self-respect. That is all this amendment does, and I urge government members to think independently, not to take the marching orders that come down from the Attorney General and the parliamentary assistant, and to look at this for what it really is. It is a non-political thing, something that will make this bill better, and that is why it is being offered. It does not affect the fundamental character of the bill or the concept of universality which the government holds so dear in every piece of legislation it brings forth.

1600

Mr Elston: I rise to speak on this item to remind ourselves that we do have a duty owed to people in conflict with respect to relationships which were originally based on the best of intentions, the highest degree of emotion. We have an obligation, it seems to me, to make sure we do not intrude in a way which prevents those people from actually coming to grips with settling the matters which have reached, undeniably, a difficult situation.

I agree with my friend the member for Willowdale that if we can minimize the number of times in which a government agency intrudes upon the personal lives of our people in the province we probably have set ourselves a target of good public policy.

For so long now we have understood and followed the directives, at least from the federal organization, that the government has no business in the bedrooms of Ontario and Canada in that regard, and here is a piece of legislation that tends to inflict the agency into the personal relationships of men and women who have found that for one reason or another they must separate.

The destruction of the family unit, in the first case, is a very serious matter and it generates all sorts of conflicts which are, without doubt, extremely difficult to overcome.

If there is a situation which is positive, it is that grown men and women are able to come to grips with how they will arrange for the management of their financial affairs upon the breakup of a union. Here is a situation where two adults who have reached an agreement can be allowed to opt out of the agency's activities.

An agency, by its very nature, cannot be personal. It cannot, as we were told during the hearings, get personally involved with the operations of the affairs between the two parties. It cannot become human in that very necessary way that helps heal the differences that have been generated by family breakup.

Why, then, is it that if there are no arrears, if there are efforts made to pay up the arrears—if, in fact, all the arrears are paid up—the agency must continue its meddling in the affairs of these people? If a consent has been arrived at between the parties, why is it that the government agency must be there? Why is it that someone who has no interest whatsoever in the emotion, in the financial arrangements or in any other aspect of the lives of the two people who are party to this be required by legislation to continue to prevent the two parties from coming as close together as is practicably possible under the circumstances?

I do not understand, as we talked about other parts of the bill, why this agency must be in on every attempt by two people, a man and a woman, who are trying to resolve their difficulties. I do not understand why it is that we cannot resort to them only if there is an impossible situation, where there is a problem. I do not understand why the government wants to meddle in the affairs of people who have made the proper arrangements. I do not understand why it is that when things are going right, the agency requires itself to be the payor to the people who require the money. If an exchange can be done directly, is that not preferable to having to go through a third-party organization?

I know the people have been told they do not want any changes made to this particular bill. I think the issues at hand, though, are extremely important from a social context. I spoke briefly last week about the problems of the bill being a collection agency not so much for the people who need the money but more so for the agencies which have already paid money out in the form of general welfare assistance or family benefits. That has, I think, quite clearly rung true for several people in the various parts of Ontario who have replied to me by telephone, indicating that they have been suffering from the intervention and in fact have had their financial affairs displaced to the point where there are some problems.

In fairness, in one case I think some positive steps have been taken by the people at the Ministry of the Attorney General to help the particular people get on with their lives, but is it not important for us as legislators to make sure we do not intrude too often and too deeply between the parties when they can come to a resolution?

Why should we not allow a provision in the bill to let direct payment continue? Why should we not be able to indicate to the people that every person who is in a relationship that breaks apart is subject to the monitoring of the act, but that he or she does not necessarily have to come under its aegis unless there is some grievous harm being done? If the money is changing hands as it ought, why not allow that to continue? Why does the government have to intervene?

If spouse A is paying spouse B and has never missed a payment, or if spouse A gets laid off and has missed one payment but then pays that up and continues to pay the others, why do we always have to have him from then on making the payment to the government so that the government can then launder the money, I guess, and pay it out? I do not understand what is so bad about having two people dealing directly when they have been able to come to the proper arrangements with respect to their relationship. What is so wrong?

I know the people will not answer the questions I have put to them. I know they do not want to have any changes in this act.

I have to make an observation. I had asked last week whether there were any regulations available. I do not know whether anybody is here now who remembers my question. I was told by several people over on the other side of the House, "We can't draft regulations because we don't want to deal with prejudging the result of the legislation."

Do members know what happened today at 11 o'clock when the Solicitor General, the Minister of Labour and the Minister of Tourism and Recreation had their press conference about the so-called common pause day stuff they are trying to force upon the people of the province? They gave out not only the draft legislation, legislation which I presume was introduced today, but they gave us a draft regulation with all of the nice categories of exemptions. Did anybody see the draft regulation? I saw the draft regulation. I guess somebody is prejudging the legislation. If it can be done with one piece of legislation, surely somebody

can show us the draft regulations they got with respect to this legislation.

I would like to see, for instance, exactly how those draft regulations are going to allow all the arrangements around the payments that are required, if no exemptions or no flexibility are allowed through the adoption of this amendment, to be made to the parties who had been receiving their money without fail so far. Is there anybody who can help me out by providing me with the current status of the draft regulations, perhaps sharing with us the draft regulations? As the minister in charge of the common pause day gave us the regulations attached to that bill, perhaps the people here could show us the draft regulations with respect to SCOE.

I would be very happy, then, to sit down on some of my other points of interest on this, perhaps feeling convinced that this whole area of the Attorney General's administration is going to be able successfully to carry out its mandate in administering this legislation. I would like to see the draft regulations. If we get them under one bill, I guess we should be able to get them under this. I would also particularly like the people to adopt the amendment that has been proposed by my colleague the member for Willowdale.

With that, I am quite prepared to give the floor to the parliamentary assistant, who has ably carried this bill most often for the Attorney General. Perhaps he could share with us his views on some of my points, and also the status of the regulations.

1610

Mr Wessenger: With respect to the member's comments and questions, first of all I would like to deal with the question of default again. I think it is fair to say that generally everyone honestly intends to pay his support, but the statistics show that anywhere up to 76% of payors are in default. That is the problem.

Also, as one member indicated this is a substitution for garnishment, I would like to indicate that garnishment will still exist for lump-sum payments and for situations where there is not an income source.

Another thing I would like to mention is that he said there is no method of dealing with this outside the system, while in fact there is a method of dealing with it outside the support deduction system. The support deduction system only comes into effect when you have a court order for payment. The fact of the matter is that matters can be dealt with by support deduction. There is also the fact that existing orders generally will not come under this legislation unless requested by the recipient and it is practical to make that deduction apply.

With respect to the matter of regulations, of course the ministry has done some initial work on them, but they are not ready. That is the fact: They are not ready yet. Before we present them, we want to have consultations after third reading of the bill with employers and other affected persons to make sure the regulations are workable. There are a lot more complexities, I must say, because we are dealing with employers and payroll deductions, and a somewhat

more complex area than I would suggest the member is dealing with in the question of Sunday closing.

Mr Harnick: I point out for the members of the Legislature that it is interesting the parliamentary assistant stands and says that 76% of people are in default. That is exactly what I am trying to stress to members here today: 76% are in default and we cannot collect that money, so why are we putting the additional 24% who are paying and are not in default into the system?

All I am saying to members is that we are clogging the system with the people who can and do pay. It is that 76% the parliamentary assistant makes reference to that we cannot get at. The elimination of 24% of the people from the system will make it possible to concentrate efforts against the 76% who are in default.

Surely there must be 10 or 11 members who sit on the other side of the House who are independent thinkers and who can vote for this amendment so that this bill might work, because if they vote against this amendment there is no chance that this bill is going to work. It is going to be exactly what we have now, and nothing more. The statistics will remain the same. I urge at least 10 or 11 members to please be free thinkers so we can pass this bill in a way that is going to make it meaningful, not so that we end up with exactly what we have now.

Vote deferred.

Le vote est reporté.

The Chair: Mr Harnick moves that section 3.8 of the act, as set out in section 4 of the bill, be amended by adding the following subsection:

“(10) Despite any other provision of this section, a payor who is not in arrears under a support order on the day this section comes into force and who is making the payments required under the support order shall not be required to make payments through a support deduction order described in subsection (5) unless at any time after this section comes into force he or she, without an explanation that is acceptable to the director, fails to make a payment under the support order when it is due.”

Mr Harnick: The thrust of this amendment is similar to the amendment I brought earlier. This amendment deals with those individuals who are making payments under already existing orders when this act comes into force. These are individuals within that 24% or 25% who are making payments without the necessity of any government agency being involved. These are individuals who have a track record of paying and therefore the amendment is directed to them and exempts them from the system.

My rationale for this amendment is very much the same as my rationale for my previous amendment. We would not be clogging the system; we would be exempting those individuals among the 25% who pay, so that we can concentrate our efforts against the 75% who are in default. Garnishment is what this bill is directed at avoiding, but we still must find those individuals who, because of difficulties in the system, are avoiding payments of their obligations. They are avoiding payment because they have orders against them that indicate they have to pay a certain amount of money every month, and they cannot do it

because they do not have enough money due to their earning capacity. The result is that they are in default. They pay what they can, but they are still in default. The agency must chase them.

There are also people who cannot make the payments and have gone underground because they are in default and in arrears. The agency still has to find those individuals. The fact that they have avoided or gotten rid of the garnishment aspect of this bill still forces the agency to find those individuals who are in default. There is no panacea to what this bill involves. We have to avoid clogging the system with those people who pay anyway so that we have the manpower, the staff and the expertise to find those who are avoiding their obligations.

1620

As I said earlier, one of the very grave difficulties is that there are a great many people in arrears among those 75% because they cannot afford the orders that have been made against them. They cannot afford to go back to court to have those orders varied. Even if they can afford to go back to court, it takes so long to get there that they just get deeper and deeper in debt and they have two choices: They either wait it out and end up having an astronomical amount of arrears against them on the day they finally get to the courtroom; or they take the other route, the route that says: “I’d better go underground, because I’m never going to be able to pay this money off. I’m never going to be able to afford a lawyer. I’m going to wait for ever to get to the courtroom, and therefore I have no choice but to avoid my obligations and hide.” It is going to be incumbent upon the government agency to find these people. If they have to find or clog their system and administer payments for those who pay anyway, it will be impossible to do so.

So I urge the government not to get involved in areas where it is not needed, particularly dealing with this section, where those individuals have a proven track record. They pay and will continue to pay despite this act. There is no reason to stigmatize them by including them and forcing them to have their pay deducted at the source when they would pay anyway.

The balance of everything I said dealing with the previous amendment still stands. I urge the government members to think independently, because this bill can be made better.

Mr Wessinger: The present section in the act, with respect to old support deduction orders and separation agreements, provides that support deduction is not automatic. It can apply only in two circumstances: first, when the enforcement program considers the support deduction to be advisable; and second, where the recipient requests support deduction and the program considers it practical.

One of the issues the enforcement program will consider, in determining whether support deductions should apply or are practical, is whether there is compliance. But there are special cases where it is important that we have the whole discretion of whether support deductions apply in the case of an old order. For example, the order may be

in compliance, but only as a result of continual prodding by the program or the support recipient.

There are also concerns about support orders being used by payors' spouses as negotiating tools. We do not feel that is appropriate. In those circumstances where there is some attempt to use the payment as a negotiating tool, it would be very appropriate to put in the support deduction provisions.

Mr Elston: I rise again to support this amendment. I suspect it probably will have the same weight and effect as it had with respect to the last amendment we voted on, but none the less, I am going to try again.

I support the idea that if people are making payments and performing to the obligations they have undertaken by contract and commitment to people with whom they are no longer living, they should be allowed to do that. I can appreciate that, from the standpoint of the Attorney General's department, it makes its statistics look a whole lot better if it can have everybody included in its web and no matter what the situation, the people who are willingly making payments and otherwise can be included in the positive stats.

I wanted to raise one of the points that the parliamentary assistant had raised. I did not think he would bring it up, but the whole issue of "practical" and "advisable" and the discretion that is applied to the people who are going to administer this program really means that if they think it is going to be too tough to pursue somebody, they are not going to do it. For me that is just a wee bit of a problem, because they are trapping in their big web all of the people who are complying and in compliance, and those are the easy cases. In fact, those are the cases in our society which now are performing okay.

The issue for me is, why should we expend the resources to chase people who are doing well? I have no problems at all with people in the Attorney General's department pursuing the people who are not living up to their contractual obligation, their court-endorsed obligation, their moral and their legal obligation, but I have a wee bit of a problem with the whole idea of putting the government in between the two parties that have split up when they are living up to all of their commitments. I just think it makes good public policy to leave government out of it if the performance of obligations is being carried out without fail.

It is an interesting read when you go through the material in this bill. For instance, when somebody applies not to be included under the support deduction orders, the government does not trust the courts to determine exactly what the circumstances are. They are told which situations to ignore that are being brought up in terms of relevancy to an application and under which circumstances they must issue the support deduction order.

I just think it is very bad to apply what we now know are scarce resources of the public sector to pursue the people who perform without fail their obligations to those they are required to support. It makes very little sense to me that we would spend money pursuing those people when we can make a decision that we will not spend money to pursue the situations that are more difficult to enforce.

That for me is where the test in this case really comes down to voting in favour of the amendment as proposed by the member for Willowdale, and where I think it would make some sensible addition to public policy rather than going on the way these people are. I can see the poor people from the AG's department shaking their heads and I understand they are disappointed in having to listen to this again, because we raised this in committee. I ask their indulgence just for a little bit longer. It will be over soon. It would likely be over sooner if we had the regulations I have always asked these people about, but they are not going to prejudice the legislation.

I like the idea that we have a chance to speak again in a more open forum to the people who drafted this and in whose interest it is that this bill be put together in good form, because if they do not carry it out, if they do not put this bill into place with the resources they have and make it spin perfectly like a top, then they are going to get all the problems that are written to people like me and to the member for Willowdale, the member for Peterborough and the member for Kingston and The Islands. All of us are going to have problems if they do not perform without error.

We have already talked in committee about the difficulties of resources. In fact, when we were dealing with the issues in front of us here, some of the presenters said that to a large extent there will still be considerable concern if resources are not put into this department in the Attorney General's area so that this department can hire all the people it needs to look after the business that it is given.

I think it would make some sense if we allowed those people who are performing okay to be out of the act and applied the resources of this government to those people who are not performing, that we would take a good step ahead. For those people it would seem to be an indication that perhaps the government of the day has some degree of goodwill towards the people who are fulfilling their obligations to the people they must support. It would make eminent sense. As it is now, everything is going to be caught in the web, and I think that probably is not particularly helpful.

Vote deferred.

Le vote est reporté.

1630

The Chair: Mr Wessenger moves that subsections 3.9(2) and (3) of the act, as set out in section 4 of the bill, be struck out and the following substituted:

"(2) If the parties to a support order agree in the manner prescribed by the regulations or if the support obligation is stated in a support order to terminate on a set calendar date, the director shall cease enforcement of a support obligation that has terminated; however, if the support order has been assigned to an agency described in subsection 33(3) of the Family Law Act, 1986, the director shall not cease enforcement of the support obligation without the agency's consent.

"(3) If the parties to the support order do not agree or if the agency does not consent, the court that made the

support order shall, on the motion of a party to the order or of the agency, decide if the support obligation has terminated."

Mr Wessinger: This amendment ensures that the Minister of Community and Social Services or other statutory assignee of a support order, such as a municipal corporation, a district welfare administration board or an Indian band, has a right to consent to the agreement of the parties that the support order has terminated. As originally drafted, the assignee's consent was not required and the assignee was required to rely solely on the terms of the assignment agreement.

Motion agreed to.

The Chair: Mr Wessinger moves that subsections 3.9(10) and (11) of the act, as set out in section 4 of the bill, be struck out and the following substituted:

"(10) The director is not a party to any proceeding to determine the entitlement of any person to support under a support order or to a motion to decide whether a support obligation has terminated."

Mr Wessinger: This basically deletes subsection (10) which stated that the parties to a support order are as the parties in the motions, and this could be interpreted so as to prevent the addition of the Minister of Community and Social Services or other statutory assignee of the supporter as a party to the motion.

Motion agreed to.

The Chair: Mr Wessinger moves that section 4 of the bill be amended by adding the following as a section of the act.

"3.13. Where a support deduction order has been made in respect of a support order that has not been filed in or that has been withdrawn from the director's office, the person entitled to receive support shall inform the director in writing of,

"(a) the amount of money received on account of the support order other than through the support deduction order; and

"(b) any changes in the amount to be paid under the support order."

Mr Wessinger: The purpose of this basically is to alert the recipient to her or his obligations to keep the program advised of the recipient's own enforcement and collection activities. This is important because this will enable the program to monitor the status of the account for the purposes of enforcing the support deduction order and will help to protect the payor against overpayment.

Motion agreed to.

1640

Section/article 5:

The Chair: Mr Wessinger moves that subsection 4(2) of the act, as set out in section 5 of the bill, be struck out and the following substituted:

"(2) A support order that has been assigned to the Minister of Community and Social Services may not be withdrawn except by the minister or with the minister's consent so long as the order is under assignment or if there

are arrears owing to the Ministry of Community and Social Services from a past assignment."

Mr Wessinger: As originally drafted, this subsection assumed that a support order which was or had been assigned to the Ministry of Community and Social Services could only have been filed by the Minister of Community and Social Services. In fact, a support order could have been filed by the recipient prior to any involvement by the Minister of Community and Social Services. In any event, it is not important for the purposes of this subsection to specify who filed the support order.

Accordingly, the subsection, as redrafted, deletes any reference to the person who filed the order. It provides simply that where the Minister of Community and Social Services has an interest in the support payments, either ongoing or arrears, the minister's consent must be obtained prior to withdrawal of the order from the director's office.

Mr Elston: I just want to bring everybody's attention back to the fact that these sections which are being brought forward now are a clear indication of what this bill is all about. It is an act to protect the government. The government wants to make sure it gets its money before the people who require the support get theirs. They want to be sure that assignments cannot be lost. They want to be sure that the Treasurer of Ontario is protected, while at the same time they run around and talk about this being an assault against poverty in Ontario. What they mean is that the poor Treasurer is afraid he will not get the money, money which should go to the women and children who really need it.

I wish those people who had drafted this, and the people who spun the story about what this support order enforcement amendment act is about, would have the courage to admit that they spent more time guaranteeing the protection of the Treasurer of Ontario, the Ministry of Community and Social Services, the people who are parts of welfare boards in unorganized territories and other places, than they have spent worrying about how they are going to ensure that the hard-to-collect accounts are actually collected.

When will the people see through the New Democrats and what they are doing with this piece of legislation? This is a collection agency bill for the Treasurer, primarily. First and foremost, these sections display it without any disguise at all. If it had not been for a bit of a problem in drafting, the people would have seen none of this whatsoever. The people of the province, because there was no television in the committee, as I recall, would not have seen the exchanges that were made during the committee hearings, which talked about who should be paramount in whose eyes.

The movement of the amendment by me, for instance, to make sure that the assignments were not honoured until women and children at least got enough money to take them to the poverty line, was defeated by the government members. The New Democrat members refused to support an amendment that would have taken women's and children's support levels to the poverty line—I want people in the province to understand that—so that the Treasurer

of Ontario could effect the collection on the assignment which was posted by the desperate people who would sign anything to make sure that they got some general welfare benefits or family benefits to maintain a room around their families, clothing on their feet.

I can tell you that we effected the introduction of this legislation in its original form to chase the hard-to-get-at situations, and I can tell you that there were difficulties associated with it. But what these people have done blindly now is call everybody in, and what they want to do by the series of amendments they are posting here is really remove the disguise which the spin doctors have been out around the communities trying to work on the public, that this is some kind of an assault on poverty. It is a protection of the poor Treasurer. It is a protection of the Treasury department's fiscal plan. It is a protection of almost everybody but the poor people who need the money. When will the people see through this? I surely hope they will now see through it as we read through amendment after amendment that deals with the paramountcy of assignments that have been made in favour of the Ministry of Community and Social Services and the Treasurer. "The Treasurer," this bill says, "needs the money first."

Mr Wessenger: I would just like to reiterate what the Attorney General said last week. From the experience of collections under SCOE, only 10% of all dollars collected went to the Treasurer. The other 90% went to recipients, so I would assume it is a good guideline to the future that the new moneys will be collected in the same proportion and will certainly benefit the children with the additional child support paid.

Mr Bisson: I understand what the honourable member across the House is saying but I would just make the point, and he probably is well aware, that last year in Ontario, of all of the money that was re-collected on the part of the government with regard to these benefits, only 10% went to the Treasurer of Ontario. The remaining 90% went back to the recipients in the province in benefits. I think it is somewhat misleading, when discussing this, not to point that out. All this section says is that we have to make sure in the end that money ends up going where it should, to the recipients.

Mr Elston: On that point, just so that people know what they are talking about here, the statistics are really very good. In fact, the Attorney General's department has been very good in using the statistical data it possesses. We do not have the same sort of basis of material, but they have a lot of data which they pop out on the floor every once in a while so it makes their case look better.

It may be that it is 10%-90%, I do not know whether that is true. I have never seen that stuff, but anyway it is probably true. They are telling us it is. But I will tell members what is more the problem than anything else: There is a whole series of collections which are not now made which ought to be made, while this bill proposes to go after the people who are making their payments directly now without fail.

What is important to understand is that these people in the bureaucracy have a test now which says if it is not

practical, they can decide that they will not even chase the people who need to be chased. These people are not performing the type of task which the spin doctors, who run around to the press, are trying to tell the people they are performing. This is not a war on poverty, this is more a concern about assignments to the Treasurer; this is more about a concern about assignments to welfare boards; this is more a concern about the institutions than it is about the people. That is my only point. The point is clearly made by this whole string of amendments.

What is clearer in statistical terms is the failure of these people to be able to collect now, and I admit there was a backlog with respect to collecting the outstanding accounts of people who have failed to live up to their obligations. Far from including all the people who are currently paying directly to their spouses, honouring their contractual obligations or the court-enforced obligations or whatever, their moral obligations, we should be putting more assets and resources towards collecting from those people who cannot be easily collected from. That is where we should be putting our efforts.

We should be making sure that those people who are receiving welfare are not left below the poverty line if there is money due to them from their supporting spouse. That was an amendment which I added. Right now, the paramountcy of the assignments is guaranteed by these things because the minister will not release until they get their money. Only then will they release their assignment. This is a paramountcy issue and it is the paramountcy of institutions over people. That is what I want to outline for the people of Ontario. This is not a war on poverty that affects the people who have come through terrible human tragedies of splitting families. This whole series of amendments do nothing more than guarantee that the minister, he or she, will have the last say in where that money goes. He or she is going to be obliged to take the money away from the men and women who need it. That is clearly at the heart of this series of amendments. That is what this is designed to do.

I cannot tell members how disappointed I was when we were in committee and there was a refusal by the government members to support my motion, which would have allowed the assignment to be honoured only after the people entitled to receive the money from SCOE were at least at the poverty line. That was refused and I do not know why. Why is it a sin to let people receive money so that they can at least get to the poverty line?

1650

We know what the sin is. It is a transgression against the Treasury of the province, which is probably now seen by the New Democratic Party to be more important than the men and women and children who require the dollars to have a roof over their heads. I am sorry, but I am going to have to make this speech probably another one or two times, just so I can make myself feel as if I am able to get the message across.

Where is the paramountcy of the people? I know this government will not let men and women who are living up to their contractual and moral obligations do that without interfering. I accept that now. There are going to vote

against the amendments that have been proposed in that regard. There are going to include everybody. Why can they not admit that they also have refused to allow the money to go to the people who need it to take them up to the poverty line?

Why will the member for Simcoe Centre not admit, when he is putting this amendment, that this guarantees the paramouncy of the Minister of Community and Social Services and the Minister of Treasury and Economics over those women and children who require the support and, indeed, in some cases men who are supporting families who need the support? Why will he not do that? Because it does not fit with what the spin doctors have told the press about this being an assault against poverty and families. That is why he will not do it.

These amendments explain quite clearly the paramouncy of institution over person. That is the saddest of commentaries on the resolve and will of a group of people who ran and were elected on the Agenda for People.

Mr Harnick: I would just like to indicate that the parliamentary assistant and the member from Cochrane South both give the impression that 90% of the money is collected and goes out to those who are the payees and that 10% only goes to the Treasurer. What they neglect to say publicly is that only 75% of the money that is supposed to be collected is not collected at all, or it is collected in lesser amounts that it is supposed to be collected in. They neglect to make mention of that.

To take this one step further: Of all of the money that is in fact collected, the 10% that goes to the Treasurer would amount, I suspect, based on the numbers that the parliamentary assistant has thrown around and that the Attorney General has thrown around, to many, many millions of dollars.

I agree with the member for Bruce that if those many, many millions of dollars went to those who needed the money, those who are supposed to be supported by support payments, many of those people would be above the poverty line rather than below the poverty line. That is part of the camouflage that is involved in the way this bill has been enacted. I think the bill itself, because of this, is doomed to failure.

Mr Wessinger: I would just like to make a short response. This bill is basically a bill of the Ministry of the Attorney General. This bill is not a bill dealing with the question of social assistance programs, which are dealt with by the Ministry of Community and Social Services. I am certain that the member for Bruce is addressing the wrong vehicle to make the point. If he is really interested in this issue, he should bring a resolution to the House suggesting that the House consider changes to our social assistance program.

Generally, our social assistance is based on providing equality of payments to people having the same needs. There is a certain exception made in that social assistance program, and that is an incentive program to encourage people to get back into the workforce. I think if we are going to provide some sort of exception with respect to support deduction, we have to come up with some justification for

it along the same principles as with respect to the incentive to get people back into the workforce.

I am just saying this whole question of social assistance payments is not a matter that relates to the Ministry of the Attorney General. What we are concerned about is a matter of having an effective process of collecting child support. We are not reforming the social assistance program.

Mr Bisson: The figures that the member across the floor stated just previously in regard to the 75% get at exactly what this bill is intended to do. The whole idea of the bill is to make sure that those people, the 75% who are in default, not paying the support payments, indeed do so. That the responsibility does not fall back on to the province is a big part of what this bill is speaking to.

We talk about figures and we talk about 10% and 75% and whatever percentage we want to use. Obviously those numbers can be utilized to support each other's statement, but let's keep in mind exactly what this bill is all about. The reality is—as all of the members of the Legislature know; we deal with it in our constituency offices on a weekly basis—there are many, many women and some men who are in need of support who are not receiving support because the other spouse decided he or she did not want to pay any. The whole idea of the legislation is to make sure that those who have the responsibility in the end take it and that the responsibility does not fall on the shoulders of the people of this province.

Mr Harnick: I am disappointed that the member for Cochrane South was not here when I introduced my amendments. I am quite sure when he reads those amendments before tomorrow's vote, he will support those amendments because those amendments support what he just said. Those amendments indicate that we should not waste our time chasing the 25% of individuals who are paying. Those amendments say, let's dedicate our efforts to the 75% of people who are in arrears or in default altogether. I hope the member for Cochrane South will read those amendments, will discuss them with his colleagues and persuade them to do what I know he will do tomorrow, and that is to vote in favour of those amendments so that this bill can be made better.

The other thing I point out to the member for Cochrane South is that the only reason those 25% are being left in the system is to improve the numbers that the government will have at the end of the day to show that the bill is working. In fact, those numbers only camouflage the failure of this bill, and that is exactly what they are going to do. So I urge the member for Cochrane South, who I know is a wise gentleman who will consider the amendments, to talk to his colleagues about them. He will realize that the only reason that those 25% are left in the system is to improve the numbers when the government has to report about how its support bill is doing a year, two years or three years from now; but leaving those 25% in the system only makes it impossible and overburdening to try to collect the money from the 75% in arrears or in default altogether.

Mr Elston: The reply of the parliamentary assistant about this not being an appropriate place for us to deal

with social assistance is of course bound to get me back on my feet, because he has made it the business of this bill by introducing the paramountcy of the assignments issue into the discussion. All I have said, and I wish to place it again on the record, is that he can put the assignments in the bill and say they must be honoured, and the minister can in fact decide that there can be no decision taken by the people at all until he or she gives his or her permission.

But surely he can also say that the director of the organization responsible for doing the collection for the government should not remit any money to the Treasurer until he or she—in this case she—is satisfied that the people are at least receiving money to the poverty line.

Now the parliamentary assistant says I should be making representations to the social assistance amendment act. There is none. There is nothing in front of this House that allows me to speak at all about the issue of poverty except this bill, which has been highlighted by the New Democrats as an attack on poverty.

1700

How in the world he can say, "Don't talk to me about poverty, don't talk to me about social assistance, don't talk to me about assignments from Comsoc, don't talk to me about assignments that will help the Treasurer; you should talk about it to the Minister of Community and Social Services when she brings something into the House," is beyond me. We are here now dealing with assignments, we are here dealing with the issue of the obligation of the director to make payments under those assignments, signed by desperate people so that they can have a home to live in, food to eat, clothing to provide themselves and their children.

I do not know a better time to talk about the obligation of this New Democratic government than right now for it to live up to its commitments to make sure that people come first. The assignment amendments which we are now discussing guarantee that the Treasurer comes first, guarantee that the Minister of Community and Social Services comes first, guarantee that the institutions come first and that people come a long way second.

These people, when their spin doctors are out there trying to make a good case about this being an attack on poverty, are really having a hard time convincing the people of this province, because the parliamentary assistant has to stand in his place today, substituting for the Attorney General who could not be here, and move these amendments that guarantee the primacy of institutions over people, when they ran on a thing called An Agenda for People.

The people this is going to affect best are the people who are employed in making decisions about whether or not they should pursue the people who are not yet paying under their contractual or court-ordered obligations, because those people have a way out. They have a flexibility not to pursue the people. They have the flexibility of saying to the people who are in need of assistance and who are unable to pay for the rooms they rent and the food they would like to buy: "I'm sorry, but the assignment comes first. I'm obligated because the assignment comes first. I have no flexibility in that."

Those people have the flexibility. Why does the government not give them a little bit more flexibility and let them say to the Treasurer, "Mr Treasurer, you can wait until the women and children who need the support at least have enough money to take them to the poverty line"?

Why can the government not say that in this bill? Well, it can say that in this bill. It is no degree of satisfaction or comfort to the people who need help for the parliamentary assistant to tell the member for Bruce to go sit down and talk to the Minister of Community and Social Services because he does not want to talk about social assistance. He can talk about it under this bill because he made it part of this bill. It is in this bill, and he has an obligation to fulfil the mandate that was given to this New Democratic government by putting people ahead of the institutions that he seems to be so jealously guarding at the moment.

The Chair: Would you wish to respond?

Mr Wessinger: Yes. I would be very happy to debate with the member for Bruce some time, on another occasion, the whole question of our social assistance program, but really what we are here to deal with is this whole question of having an effective collection process for ensuring that support payments are made.

I think my friend the member for Willowdale has perhaps misinterpreted or maybe sees the program in a different concept than certainly I see it. The whole purpose of this support deduction is to bring 50% to 60% in compliance, because there is little work required in the case of payors who are in compliance. Where the great deal of work is involved is in those cases that are not in compliance. Bringing in the support deduction will enable the resources of the branch to be used in pursuing those difficult cases where they need to be pursued, so we can have a much more effective enforcement process, being able to use the resources on those cases that most need them, those cases in default.

Motion agreed to.

Section 5, as amended, agreed to.

L'article 5, modifié, est adopté.

Sections 6 to 10, inclusive, agreed to.

Les articles 6 à 10, inclusivement, sont adoptés.

Section/article 11:

The Chair: Mr Wessinger moves that section 12.2 of the act, as set out in section 11 of the bill, be struck out and the following substituted:

"A person who knowingly contravenes subsection 3.3(8), (17), (25), (26) or (27), section 3.12 or subsection 3.10(4) or (5) is guilty of an offence and on conviction is liable to a fine of not more than \$10,000."

Mr Wessinger: This is to correct printing errors. The changes are from section 12.2. Originally, it was subsection 3.3(9), and it is now subsection 3.3(8). The other was section 3.8; it should have been section 3.12. This corrects those errors.

Motion agreed to.

Section 11, as amended, agreed to.

L'article 11, modifié, est adopté.

Section/article 12:

The Chair: Mr Wessenger moved that section 13.2 of the act, as set out in section 12 of the bill, be amended by adding the following clauses:

“(i) prescribing the method of service on the crown of notices of support deduction orders in place of the method prescribed in subsection 3.3(5);

“(j) providing that a support deduction order is not effective against the crown unless a statement of particulars in the prescribed form is served with the notice of the order;

“(k) providing that a notice of a support deduction order served on the crown shall be deemed to have been served, not on the day described in subsection 3.3(6), but on the day that is the number of days specified in the regulation after the actual date of service, but the regulation shall not specify more than 30 days as the number of days.”

Mr Harnick: I have a brief comment dealing with clause (k), which seems to me to provide the crown with more time than an employer would have, an employer being given only five days under subsection 3.3(6). It seems to me this is just another area of confusion when one has to deal with the crown in order to implement a

support deduction order. It goes to the whole area of limitation periods and the confusion with having to figure out what the limitation periods are for individuals and the special limitation periods for the crown. I do not think that is right, but that is the way it is written. Those are my comments.

Mr Wessenger: I just might point out that these are identical to provisions contained in the Proceedings Against the Crown Act with respect to garnishment, so we are bringing these provisions to be in line with the law with respect to garnishment.

Motion agreed to.

Section 12, as amended, agreed to.

L'article 12, modifié, est adopté.

Sections 13 to 20, inclusive, agreed to.

Les articles 13 à 20, inclusivement, sont adoptés.

On motion by Mr Wessenger, the committee of the whole reported progress.

À la suite d'une motion présentée par M. Wessenger, l'étude du projet de loi en comité plénier de la Chambre est ajournée.

The House adjourned at 1713.

ALPHABETICAL LIST OF MEMBERS

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Speaker: Hon David Warner

Clerk of the Legislative Assembly: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees: Smirle Forsyth

Clerk Assistant and Clerk of Journals: Alex D. McFedries

Sergeant at Arms: Thomas Stelling

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines and to the Minister of Northern Development
			Vice-Chair, standing committee on Ontario in Confederation
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Hon Brian A.	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
Churley, Hon Marilyn	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	
Gigantes, Evelyn	Ottawa Centre	NDP	
Grandmaitre, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities

Name of member	Constituency	Party	Other responsibilities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Chair, standing committee on regulations and private bills
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	Chair, standing committee on resources development
			Parliamentary assistant to the Minister of Energy
Jackson, Cameron	Burlington South	PC	Chair, standing committee on estimates
Jamison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chair of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	Chair, standing committee on resources development
Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Health, Chair of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
Mackenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	Parliamentary assistant to the Minister of the Environment
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation

Name of member	Constituency	Party	Other responsibilities
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
Rae, Hon Bob	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	Vice-Chair, standing committee on finance and economic affairs
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	S-D-G & East Grenville	PC	Second Deputy Chair of the Committee of the whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Hon Fred	Frontenac-Addington	NDP	Minister of Government Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	

Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

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 Co-Chair: Noel Duignan
 Members: Dianne Cunningham, Remo Mancini, Kimble Sutherland
 Clerk: Smirle Forsyth

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Assemblée législative
de l'Ontario

Première session, 35^e législature

**Journal
des débats
(Hansard)**

Le mercredi 5 juin 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 325-7400.

Langues paraissant dans le Journal des débats

Le Journal des débats rapporte en anglais ou en français les débats, selon la langue utilisée par les participants. Les remarques faites en l'une ou l'autre langue ne sont pas traduites. La langue des en-têtes et de la table des matières reflète la langue utilisée.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 5 June 1991

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

HOCKEY FRANCHISE

Mr Chiarelli: The Friends of the Ottawa Senators say the Ontario Municipal Board hearing on the Senators' Palladium site is the subject of political interference and that massive amounts of money are being spent to make this a test case at the expense of Ottawa-Carleton.

This so-called open government has officially refused a freedom-of-information request to say how much money it is spending to kill the Ottawa Senators' Palladium site in Kanata.

The NDP member for Ottawa Centre has made it clear she thinks the Palladium is a playpen for the rich.

This government, for ideological reasons, is hell-bent on a job destruction strategy. It killed Toronto's Ballet Opera House and 1,700 jobs. It killed Hamilton's Red Hill Creek Expressway and 11,000 jobs. Now it would drive the Ottawa Senators' site to Hull, Quebec, and lose 4,000 construction and 5,000 permanent jobs for Ottawa-Carleton.

On behalf of the Friends of the Senators group, I am sending across the floor 3,000 letters to the Premier's desk, letters of support for the Senators' Palladium site, telling this government to accept its responsibility. The Premier used his power to kill the Red Hill Creek Expressway and he used his power to kill the Ballet Opera House. Now he should use it to create jobs in Ottawa-Carleton.

TRANSPORTATION FOR THE DISABLED

Mrs Marland: The Minister of Transportation recently announced two measures to improve transit accessibility for disabled persons. I commend the minister for doubling incentive grants for accessible taxis. As I said in this House on 23 April, just 28 communities in Ontario operate only 52 accessible taxis. The increased funding will add to this vital service.

However, there are serious gaps in GO Transit's plans to make more stations accessible to persons with ambulatory disabilities. If only 30 GO stations are made accessible by 1993, many parts of greater Toronto will remain out of reach to ambulatory disabled persons by public transit. I hope the minister will ask GO to fast-track the required changes to all stations.

The biggest gap is Union Station, "the nerve centre of our integrated transportation system," to use the minister's own words. GO plans to complete a feasibility study of Union Station. In other words, it will be several years before the key station in the GO network is accessible. Without Union Station, ambulatory disabled commuters cannot use GO rail to reach downtown Toronto, and without accessible TTC subway stations, disabled GO users cannot reach most job, education and recreation locations in Toronto from Union Station.

For disabled persons in the GTA, there are too many pieces missing from the transit jigsaw puzzle. We can and must do better.

DEVELOPMENT DEPOSITS

Mr Perruzza: On 6 May I informed this House that Mayor Mel Lastman and North York city council returned approximately \$25 million worth of deposits to a group of developers in North York's downtown. This action represents a double standard that exists in the city of North York: When developers are in a crunch they get breaks; when home owners cannot pay their property taxes the city never comes to their aid.

I was surprised when the Conservative member for York Mills told this House that North York council's concern was to create jobs and boost the economy. In his zealous haste, the member neglected to do his homework on this matter. If he had asked one of his more experienced colleagues, he would have found out that Mayor Mel Lastman and North York city council have virtually given away the kitchen sink. Even North York Councillor Berger, a conservative watchdog of municipal expenditures who also endorsed the member for York Mills during his provincial election campaign, called the returning of this \$25 million an immoral act.

If the member had checked he would have found that a group of developers has come to control almost all of the development density wealth in North York's downtown. They can make fortunes by simply selling and flipping land and associated densities. Instead of returning their deposits and letting the developers off the hook, council could have extended the building schedules or developed parallel agreements that would have obligated developers to build their projects to create jobs and boost the sagging economy. Instead, North York council's action has resulted in no projects being built, no job creation and no economic growth.

The member for York Mills should talk to his grassroots representatives and get his facts straight before he comes into this House and makes statements that are embarrassing to both himself and his constituents.

LOGGING AT SCOTSDALE FARM

Mrs Sullivan: Scotsdale Farm in North Halton was bequeathed by the Bennett family to the people of Ontario in the mid 1980s. The 500-acre farm is set in the Niagara Escarpment, with virgin hardwood forest that slopes down to the Bruce Trail. The upland woodlot has been described as being worthy of nature reserve designation. The property is in the trust of the Ontario Heritage Foundation. It is a heritage conservation gem.

Yet today that virgin woodlot is being logged as part of an experiment in which both the Ontario Heritage Foundation and the Niagara Escarpment Commission are partners. There are 215-year-old beech trees which have been sawn down. Ash trees more than a century in age, and some of

more than eight-foot circumference, lie ready for delivery to a sawmill. Other trees are marked for cutting. This is all being done in the name of research to prove to private woodlot operators that selectively logging their woodlots could be profitable.

We know the effect of selective logging in woodlots. We do not need new information that comes from the destruction of property that is a public trust and we do not need the profits from sending that wood to a sawmill.

Along with many others who are committed to the preservation of our natural heritage, I am demanding that the Minister of Culture and Communications and the Minister of the Environment intervene immediately and stop the logging at Scotsdale Farm and that they stipulate that no further cutting on this property will be allowed.

DEVELOPMENT APPLICATION

Mr B. Murdoch: I would like to bring to the attention of the House and to the Minister of the Environment a very serious and puzzling situation taking place in her ministry. My constituents Noah and Linda Pierce have twice applied for a development permit to build a home for their family and create a working farm. On both occasions the Niagara Escarpment Commission rejected their application.

Twice the Pierces have appealed the commission's decision, and twice the commission's hearing officers overruled the commission's decision, announcing that its opinion lacked merit and recommending that a permit be granted. These were two separate occasions and two different hearing officers.

The latest such recommendation occurred on 12 January 1991, yet on 17 May the Minister of the Environment wrote to the Pierces advising them that she was rejecting her own staff's advice and failed to give any reasons. Her decision is all the more bewildering, because the officer personally visited the site while the minister has never seen it.

Why does this minister pay staff if they have no function? Does she not respect their opinions? If she feels they have no value, why does she continue to employ them? I feel that the Pierces and the public in general, who pay these salaries, deserve an explanation.

1340

PARTNERS IN CHANGE PROJECT

Mr Malkowski: I would like to inform the House of the Partners in Change project in the riding of York East. Partners in Change is the first needs assessment ever conducted in Canada by observing a year in the life of a municipality. The purpose of the project is to improve access to municipal and community services for racial and ethnocultural communities.

I would like to congratulate Dr Vandra Masemann and the mayor's committee on multicultural and race relations, and His Worship David Johnson, the mayor of East York, for undertaking this project.

Partners in Change signals true commitment by the people of East York to work together to ensure that all of our citizens have access to services.

GOVERNMENT'S RECORD

Mrs Caplan: It is with great sadness and concern that I rise today to speak briefly about the crisis of increasing public cynicism in this province.

In the election campaign, the NDP touted its high ethical and moral standards. In the speech from the throne, the Rae government said it would address cynicism by making commitments to listening to people, setting clear standards of conduct for ministers, members and senior civil servants; and creating a greater sense of integrity in governing. They have not done this.

The Premier and his NDP government have broken faith with the people of Ontario. Too many incidents show that this government says one thing and does another. In fact, that is about the only thing that has been consistent over the past 10 months, the lack of consistency from this government: invitation-only, closed-door, so-called public consultations on Bill 4, the Farnan incident, and then I got a call of interest from a constituent.

This constituent was appalled and very cynical, because while a few weeks ago when the Premier was responding to the truckers' protest and said at the time that the "law must be enforced," my constituent pointed out to me that the Premier was arrested at Temagami for breaking the law and has never even apologized for that incident.

That is why public cynicism is increasing and that is why it is getting worse. It saddens me that this government has not done what it said it would do. The confidence of the public is at stake on this important issue.

BUDGET

Mrs Cunningham: Yesterday, the Mike Harris task force on the Ontario budget concluded public hearings in London. Five of the six presentations we heard from yesterday came from people worried about the impact this budget will have on our province.

London Mayor Tom Gosnell and Deputy Mayor Jack Burghardt made a joint presentation which described how southwestern Ontario has been hit harder by the recession than any other part of Ontario. Over one quarter of the job losses in Ontario in 1990 and 49% of the job losses in January 1991 occurred in the southwestern region.

The mayor also pointed to a litany of taxes and programs, admittedly coming from both the provincial and federal governments, that "should scare the hell out of the citizens of Ontario." He concurred with my party's view that this budget is pushing Ontario in the wrong direction at a time it least can afford to do so—the people spoke—aggravating this province's deteriorating competitive position.

The mayor's concerns were echoed by Bryan Thomas, president of the London Chamber of Commerce, who told us that London was well on the road to economic recovery before its budget gave their recovery a "kick in the stomach." He advised us that he was organizing a coalition of small business people opposed to the budget.

I cannot describe for members in 90 seconds all the concerns the people of Ontario have. Our task force was set up to listen to the people. The task force will now halt its hearings because we believe that an all-party committee

should be a more effective forum to study the budget and we look forward to others voicing their concerns to that committee.

PLANT CLOSURE

Mr Ferguson: As was widely reported yesterday, a major manufacturer in my riding announced plans to close one or perhaps both of its operations, potentially laying off 2,000 workers. The announcement was certainly a shock and a stunning blow to the workers and their families, and it was in fact to all the people of Kitchener.

The rubber and tire industry has long had a history in our community, dating back to 1890. The closing will have a harsh impact on my riding. We are talking about a \$60-million payroll, as well as \$2.4 million in provincial tax.

Having had an opportunity since yesterday to review documentation from the Ministry of Industry, Trade and Technology and having then spoken to company officials on this matter, it has become increasingly clear that the previous government knew this company was in trouble as far back as 1987 and did nothing. The former Liberal government was approached by the company to ask for assistance and the minister of the day did nothing at all.

In the last 24 hours, I have been speaking with local union leadership officials as well as company representatives. This morning in my riding, along with my colleagues the member for Kitchener-Wilmot and the member for Guelph, I met with union officials, the mayors of both Kitchener and Waterloo and the regional chairman.

My colleagues and I will be making every effort to salvage this, which is something that should have happened five years ago. That is disgusting—

The Speaker: Will the member take his seat. The member for Kitchener, come to order.

Interjections.

The Speaker: Order. It is obvious everyone is awake and perhaps if we could now continue.

MEMBER FOR SCARBOROUGH WEST

Hon Ms Swarbrick: On a point of privilege, Mr Speaker: I would like to thank very sincerely and deeply all the members of this House who were so kind and sent wonderful support to me while I was away recently.

I especially want to thank the Premier, who has been tremendously supportive, and the Minister of Citizenship for the work she has done on my behalf while I have been away. But my deepest thanks to all members; they have all been tremendously kind.

I may not be here quite as much as I would like for the next little bit, as I go through a course of chemotherapy treatment, but because of the wonderful prognosis people have with breast cancer these days and that I certainly do, I look forward to coming back in totally robust health as my chemotherapy ends. I thank all the members very much.

1350

VISITOR

The Speaker: I ask all members to welcome to our midst today, seated in the Speaker's gallery, Maria Elvira

Salles Ferreira, the state assemblywoman for Minas Gerais State Legislative Assembly, Brazil.

WALTER WATTS

The Speaker: I would also like to bring to members' attention the coming retirement of one of our longest-serving Ontario Government Protective Service officers. Walter Watts has served Queen's Park for the last 18 years.

[Applause]

The Speaker: Yes, indeed, it deserves applause. To survive 18 years here is worth applause. For the majority of this time, he has held the rank of supervisor in the Ontario Government Protective Service. Walter has been the commander of the session's platoon since 1985.

Walter always expected the best out of those who worked for him and he is highly respected in return. Walter has enjoyed serving the House and the members of the Legislative Assembly as session's supervisor. In this capacity he has led the Speaker's daily parade, bringing dignity and pride not only to this but to all parts of his duties. Indeed, he led the parade today on this, his retirement day.

Walter Watts came to the security service following a long and outstanding career in the military, where he served from 1943 to 1970. During these years, Walter served as an infantryman, a paratrooper in the Arctic with the Royal Canadian Regiment and with the Canadian Airborne Regiment in Korea.

Walter will be retiring to Mariposa county. He and his wife, Leona, have acquired a peaceful property where Walter plans to devote his time to the study of military history and the maintenance and upkeep of his 400 handmade military models.

I would like to wish Walter long health and happiness in his retirement and thank him for the service he has given to the members, the staff and the visitors over the years. Would you join me in thanking Walter.

STATEMENTS BY THE MINISTRY

CONFLICT OF INTEREST

Hon Mr Rae: On 18 April, in response to a question from the member for St George-St David, I undertook to release a list of financial interests divested or exempted under the conflict-of-interest guidelines. Today I am releasing that list.

Eldon Bennett of the law firm of Aird and Berlis prepared this list on the basis of the public disclosure statements released by Commissioner Evans and interviews with each of the affected members. I should make clear to members that those members of cabinet and parliamentary assistants who are not included on the list do not have financial interests affected by the guidelines.

In addition to the list I am making public today, I want to inform the Legislature that I have asked two parliamentary assistants, the member for Sarnia and the member for Downsview, to divest themselves of assets in order to avoid perceptions of conflict.

ONTARIO HYDRO

Hon Ms Carter: I am pleased to be able to announce that later today I will be introducing amendments to the

Power Corporation Act. These amendments will establish an improved legislative framework which will enable Ontario Hydro and the government to work together more effectively for the continued economic, environmental and social wellbeing of the province.

In the November 1990 throne speech, the government announced new energy directions that will concentrate more of our resources and efforts on controlling demand for energy. Included was a moratorium on the development of new nuclear generating stations. We have told Hydro to redirect this spending to conservation.

The new direction means we will be taking initiatives designed to produce significant reductions in energy demand across the board: in transportation, in industry, in commercial and institutional buildings and in housing.

The primary goal of our energy policy is to ensure a safe and reliable supply of energy while providing for increased protection for our environment and the economic and social needs of the people of Ontario. That is a commitment.

Nous reconnaissons qu'il est nécessaire qu'Ontario Hydro puisse mieux répondre aux priorités du public et du gouvernement afin que la politique énergétique de l'Ontario soit mise en oeuvre de façon efficace.

En octobre dernier, le Conseil des ministres a décidé d'étudier des moyens de rendre Ontario Hydro plus apte à répondre aux besoins, y compris la possibilité de modifier la Loi sur la Société de l'électricité.

Nous considérons alors d'apporter des modifications législatives habilitant le gouvernement à donner des directives sur l'orientation des politiques en s'inspirant de la Loi sur la gestion des finances publiques, qui autorise le gouvernement fédéral à dicter les activités de ses entreprises publiques. Le processus décrit dans la Loi, qui prévoit une consultation sur le contenu et l'effet des directives, est efficace.

Les amendements à la Loi sur la Société de l'électricité que le gouvernement présente aujourd'hui lui confèrent le pouvoir de donner des directives sur l'orientation des politiques et reflètent les grandes préoccupations du public concernant l'environnement et son désir d'avoir un droit de regard sur les activités d'Ontario Hydro. Ces amendements reflètent également l'importance constante de la gestion de la demande et de l'utilisation judicieuse de l'énergie dans les politiques énergétiques.

Previous governments have amended the act to expand Hydro's business and purpose to include the production and sale of heat energy, the provision of energy conservation programs to encourage safe and efficient use and conservation of energy and the encouragement of the parallel generation of electricity.

The amendments we are introducing today take further steps in the same direction by making it easier for Hydro to meet energy efficiency and environmental objectives; increasing Hydro's ability to meet public priorities and its involvement in the government's energy directions; improving Ontario Hydro's responsiveness to public attitudes and concerns and ensuring that its activities are in the best interests of the people of Ontario; expanding Hydro's role in ensuring an energy efficient future for Ontario; and

enabling local utilities to play a greater role in conservation and energy efficiency programs.

The amendments I am introducing today also make changes in Ontario Hydro's board of directors in order to make that board more responsive to the attitudes and concerns of the people.

The size of the board will be increased by four members to ensure a wider representation of public interests. In addition, the Deputy Minister of Energy will be appointed to the board as a non-voting member to facilitate liaison and advice on government policy.

The amendments also provide that the board's chairperson will be the chief executive officer of the corporation. This was the status of the chairperson of Ontario Hydro for more than 80 years and is consistent with the practice in the provincial utilities of seven other Canadian provinces, where the chair is also the CEO. We believe this is the most efficient way to structure the corporation.

Other amendments to the Power Corporation Act being introduced today clarify Hydro's role in promoting the efficient use of all forms of energy and enable Hydro to promote fuel substitution where this is in the interests of Ontario and the customer. These amendments broaden Hydro's conservation focus and will help Ontario achieve the best mix of fuels needed to achieve our economic and environmental goals. In some cases, electricity is not the most suitable fuel. In residential heating, for example, if natural gas is available, there are often economic and environmental benefits to using gas rather than electricity. Changes to the legislation will give Hydro the ability to promote fuel switching where this benefits Hydro and its customers.

In other amendments I am introducing today, we are making changes to enable local utilities to capitalize the cost of energy conservation programs. This will encourage greater participation by municipal electric utilities in conservation programs and make such programs available to greater numbers of Ontario residents.

Many local utilities in the province have already seen the value of conservation and efficiency. Amending the PCA to make it easier for local utilities to participate in conservation programs will bring substantial benefits to Ontario. The amendments will also help make energy conservation and efficiency programs available to people who are not direct customers of Ontario Hydro.

The amendments I am introducing today will increase Hydro's responsiveness and accountability to public concerns and priorities. They recognize that Hydro is a public utility. As a public utility, Hydro's activities must be in the best interests of the people of Ontario. At the same time, under these amendments, Hydro retains its independence to implement its day-to-day activities while ensuring that the government can carry out its responsibility to make sure Hydro's activities serve the public interest.

This government has made a commitment to new energy directions for Ontario. The amendments before this House today will enable Ontario Hydro, with the help of our local utilities, to assist us in creating a path to an energy future that is more sustainable.

WAGE PROTECTION

Hon Mr Mackenzie: I am pleased to make a statement today regarding amendments to Bill 70. Since the government first announced Bill 70 to create the employee wage protection program, there has been unanimous support for the principles behind the program. The focus of the program is to help workers who lose their wages as a result of bankruptcy, insolvency or other circumstances to recover at least some of that money in as timely a way as possible. We must never lose sight of this purpose.

Bill 70 was initially developed through extensive consultations between my ministry and a number of groups. Those consultations have continued following the tabling of the legislation. As result of these discussions, the government has taken the decision to introduce amendments to address some of the concerns expressed during those consultations.

These amendments will centre on the liability provisions and the appeals process as set out in Bill 70. First, we will introduce an amendment that will ensure that the liability under Bill 70 for unpaid employees' wages will be limited to directors only. This removes the provision for officers' liability. As well, we will restrict the liability for directors to just wages and vacation pay that became payable during the term of the directorship. This will remove any liability for debts due after the director has left that position.

These amendments will make all liability consistent with the various corporate statutes governing directors' obligations to employees. It means that we are not introducing any liabilities that do not already exist. To expand corporate liability beyond what already exists will likely require more discussion as part of any broader review of corporate law that takes place, rather than through amendments to the Employment Standards Act for one particular purpose such as the employee wage protection program.

During the discussions following the introduction of Bill 70, particular concern was raised about the status of directors and officers of not-for-profit organizations. The amendments that I have announced should resolve these concerns. However, to reassure volunteer directors who may have been unaware of their existing statutory obligations under the Ontario Corporations Act and the Co-operative Corporations Act, the government will be putting forward an amendment exempting directors of non-profit organizations from the enforcement provisions in Bill 70 for non-payment of wages and vacation pay. However, the existing directors' liability, which is a maximum equivalent to six months' wages and 12 months' accrued vacation pay, will remain under the Ontario Corporations Act and the Co-operative Corporations Act.

Despite this exemption for directors of non-profit organizations, their employees will continue to have full access to the employee wage protection program. The corporations, as employers, will continue to have the obligation of making sure that their employees are paid in full.

In addition to these amendments, I will also be submitting an amendment to help speed up the appeals process. Bill 70 now requires a hearing within 45 days of filing.

With this proposed amendment, impartial referees will be required to make their decisions within 90 days of the initial hearing. In exceptional cases, a senior referee will be permitted to grant an extension to this timetable.

Other concerns such as insurance costs have been raised during the debate on Bill 70. We believe that here too the amendments I am announcing today will address these issues.

There have also been questions about federal bankruptcy laws. Under the present federal bankruptcy laws, these workers are unsecured creditors for wages over \$500. This means they are among the last to collect money that is owed them, and in most cases they get nothing.

I wish to assure all members that discussions are continuing with our federal counterparts to ensure the harmonization of federal and provincial programs, particularly if the federal government should introduce any changes to its current legislation.

The main purpose of Bill 70 is to establish the employee wage protection program, an extremely important and necessary step to help workers in this province. Since the Premier made the first announcement of the program last October, more than 13,000 workers have filed claims with the employment standards branch of my ministry for money owed to them. These workers are putting their faith in our ability to help them at a time of need and anxiety.

The employee wage protection program is a way of ensuring that all workers are able to exercise the rights that are theirs under law even if their employers are unable or unwilling to comply.

The government has listened to the concerns expressed regarding directors' and officers' liability and has acted. I will make the amendments available in the near future, and I propose to introduce them as soon as possible in response to these concerns.

I now strongly urge all members of the House to allow quick passage of Bill 70 so workers can receive the monies they are owed as soon as possible.

ALGONQUIN PROVINCIAL PARK

Hon Mr Wildman: I am pleased today to respond to a public review of the Algonquin Provincial Park master plan by the Provincial Parks Council. Algonquin Park is a world-famous park that has been a vital part of Ontario's natural and cultural heritage for close to a century. In 1993, the park will be a central focus in the celebration of the provincial parks centennial.

The document I am releasing today includes a new goal statement for Algonquin Park. The goal is to provide protection of natural and cultural features and to continue providing opportunities for a diversity of recreational, wilderness and natural environmental experiences that have minimal impact on the park environment. The goal is also to continue to enhance the park's contribution to the economic, social and cultural life of the region.

This new goal statement emphasizes the primacy of protection in the management of Algonquin Park. It indicates this government's commitment to conserving the natural and cultural legacy of the park for all Ontarians.

The Provincial Parks Council has done an excellent job of reviewing the complex issues of park management, and I have accepted the vast majority of its recommendations.

I would like to make clear that the council completed its work on this project in 1990. The review therefore does not deal with the question of the Algonquins of Golden Lake exercising their aboriginal right to hunt and fish in the area they claim as their traditional land, which includes Algonquin Park. As I have announced previously in this House, the province is committed to begin negotiations on the Algonquins' land claim by 15 June.

The commitment includes an agreement to negotiate interim arrangements with the Algonquins of Golden Lake regarding their aboriginal right to hunt and fish for food in the area they claim. The arrangement will include sub-agreements for deer and moose hunting and fishing that will specify seasons and areas for hunting and fishing, levels of harvest and measures to protect park values, and will ensure enforcement and conservation and protect public safety.

Other interested groups are being consulted on proposals for these interim arrangements. Until there is an agreement on the principles, fishing activities by the Algonquins of Golden Lake will be reviewed on a case-by-case basis.

In its report, the Provincial Parks Council has made a total of 117 recommendations regarding all aspects of the park and its management. Among the recommendations I have endorsed are the increase in size of nature reserves in the park to 41,000 hectares from 31,000 hectares; the banning of new roads from nature reserves within the park; the development of three new hiking trails, and the development of a marketing strategy for the park in co-operation with local tourist associations, businesses and the Ministry of Tourism and Recreation.

In addition, the Algonquin Forestry Authority will continue timber management and harvesting within the recreation/utilization zone of the park. Priority will be placed on maintaining a healthy forest that provides wildlife habitat and recreational opportunities. We will also ensure a yield of wood products for the region's economy.

The Ministry of Natural Resources will investigate alternatives to the use of herbicides for silvicultural purposes in the park. A study will also be done on the establishment of a wilderness zone for the east side of the park, to be completed by 31 December 1993.

1410

Water-skiing and related activities will be banned from all Algonquin Park lakes and waters as of 1 June 1993. Boat horsepower on the lakes where leases are held which currently allow unlimited horsepower will also be limited to 20 horsepower as of 1 June 1993 except for utilitarian purposes by youth camps, lodges and outfitters.

The recommendations in this report will form the basis for a revision of the Algonquin Provincial Park master plan, which will be completed in the spring of 1992. I believe the recommendations and my responses to them demonstrate our government's commitment to the protection of the conservation legacy of Algonquin Park and provide us with a strong direction to enhance the enjoyment of the park by Ontarians in the next century.

RESPONSES

CONFLICT OF INTEREST

Mr Nixon: When the Premier announced his conflict-of-interest guidelines on 12 December 1990, he must have thought they would automatically be responded to by all members of his cabinet and, where the application was, by all members of his caucus. Now, six months later, he is announcing that he is finally satisfied. It has been a long and tortuous situation indeed, so with the announcement today that at least two of the parliamentary assistants have been directed by the Premier to divest certain properties, the interesting aspect is that at least one of those assistants was not even aware of the necessity under the guidelines that the property be divested.

It is almost reminiscent of the situation involving the Solicitor General, where he did not seem to be aware that it was necessary that he inform his staff they should not be contacting the judiciary. In the instance of the Minister of Community and Social Services, the commissioner has found that she was clearly going against the guidelines and in fact the law, but indicated that she did not mean to. She does not appear in these guidelines.

It is interesting to see the numbers of members of the cabinet who do hold some properties. I believe that the Premier has shown once again a certain weakness and a lack of commitment, even though the guidelines are strict. Now, six months later, we have had his most recent report.

ONTARIO HYDRO

Mrs Sullivan: I would like to respond to the statement from the Minister of Energy. All members in this House believe that Ontario Hydro should be responsive to public concerns and to government priorities. The amendments which were brought forward today build on a foundation which in fact was put forward in the 1989 amendments to the Power Corporation Act by the former government. Those amendments ensure that Ontario Hydro would be responsible to government policies and that energy conservation and efficiency and environmental objectives were pursued. I think of the initiatives in that legislation which enabled municipal utilities, for example to capitalize conservation initiatives as important matters.

There are some concerns, however, that I would like to raise which have been brought forward in these amendments as outlined. I would like to comment briefly. First, it seems to us that this government's reason for legislating the requirement that the chairman be the chief executive officer is that the government was unhappy with the board's selection of Al Holt as president of the corporation. Had the government done more than pay lipservice to consultation with Ontario Hydro, surely there would have been discussions with the board, with the government putting forward its views on who the chair, the chief executive officer and the chief operating officer should be. In the absence of a consultative role, the government has moved to a legislative route.

The presence of the deputy minister on the board provides a clear signal that policy advice from the government which should be transmitted directly from the Minister of

Energy will instead come from the bureaucracy, and that the minister is merely a lame duck.

ALGONQUIN PROVINCIAL PARK

Mr Ramsay: We applaud the minister's increased emphasis on protection and recreational objectives with regard to Algonquin Park. However, I would like to say that the minister is playing a little fast and loose—and I would ask him to check this out—in his press release and statement when he says he is going to increase the nature reserve by 10,000 hectares, but then in his report says: "...subject to further review. It will be decided by the end of this year." He does not say that in his statement and I think that obviously the public should be aware of that. I would also suggest, for the centenary of the provincial parks, that maybe he clear up all the old park management plans. That would be a good way to celebrate provincial parks.

WAGE PROTECTION

Mr McClelland: I would like to respond briefly to the statement made by the Minister of Labour regarding Bill 70. It is obvious the minister has seen the light with respect to this bill. It begs a number of questions. This bill is so badly flawed and so ill-conceived that one has to wonder how it ever got through cabinet in the first place. In fact, I would still suggest that he is so far off base that the only proper thing he can do is withdraw it and start afresh.

The minister talks about broad consultation. Obviously, that broad consultation had no impact on the drafting of the legislation. The least the minister can do is commit to going to broad public hearings on this matter and revisit this whole thing. He clearly showed a lack of understanding on how business operates in this province. It makes absolutely no sense. He is committed still to extending liability to the corporate sector. He has stated that.

The buzz-saw that ran through cabinet that the minister talked about has clearly run into a roadblock. He should revisit this entirely, withdraw the bill, start afresh, do the proper thing and think this through. Obviously, it begs the question: Who knows what is going on over there? Does the minister understand the business community? I am glad he has listened. He should listen again, rethink it, start afresh and do it properly.

CONFLICT OF INTEREST

Mr Harnick: The conflict-of-interest guidelines are causing this government more trouble than anything they have gotten into. They have accomplished no more than the disclosure rules under the Members' Conflict of Interest Act. They have not added anything to the credibility of this government. Further, when we look at what has gone on in this Legislature for almost the last two months dealing with the Solicitor General, it is quite clear that even though we have these guidelines, they are not going to be enforced. Therefore, they have not accomplished what the government set out to make them accomplish.

WAGE PROTECTION

Mrs Witmer: I am pleased the Minister of Labour has finally emerged from darkness and seen the light. I am

pleased he has recognized this bill for what it was, an irresponsible piece of legislation that was very poorly conceived. He talks about consultation. I am extremely disappointed that there was not an effective consultation process. An effective consultation process occurs when all the views are considered.

Unfortunately, that was not done. We are now at a point where we are adding amendments to a bill that has not even gone through second reading. If the minister had taken the time initially to listen to all the players, we would not have spent the money, the time or the energy. Most of all, there would not have been more jobs lost in this province.

I would like to point out that, according to the legal community, the Canadian Bar Association, "This proposal to our knowledge has already caused investors to back away from attempted workouts of Ontario corporations with the result that jobs that might have been saved have been lost." The minister has said to me repeatedly, "Why are you holding up this bill?" I say to the minister that the threat of this bill has contributed to job loss in this province and also to keeping companies out.

ALGONQUIN PROVINCIAL PARK

Mr McLean: I would like to comment briefly on the statement by the Minister of Natural Resources. We are pleased to see the minister has finally released the long-awaited Algonquin Park review.

We agree that conservation and the park's natural and cultural legacy is important for all the people of Ontario. We must wonder why the minister did not release this paper earlier since the issue of the Algonquins of Golden Lake is not covered. We were led to believe the report was delayed to include the interim agreement with the Algonquins.

However, we must wonder why the report was delayed as long as it has been. We have also been told that interest groups are being consulted on proposals for the interim agreement with the Algonquins. We hope the minister will consult widely with the people of the province.

ONTARIO HYDRO

Mr Jordan: I would like to comment on the Minister of Energy's statement regarding the changes to Ontario Hydro. I must say that today is a very dark day for Ontario Hydro.

The Ministry of Energy was established in 1973. Its purpose was to ensure that Ontario has an adequate and secure supply of energy that meets the needs of the residents and industry at reasonable prices in a manner consistent with environmental protection. The Minister of Energy reports to the Legislature for Ontario Hydro, and I stress that. The Minister of Energy reports to the Legislature for Ontario Hydro and the Ontario Energy Board, which function independently of the ministry.

What we have here today is nothing more than a framework to give the government an opportunity to socialize Ontario Hydro. I suggest that the Minister of Energy might just as well go the next step and appoint herself chairman and chief executive officer of the utility and

make it a direct arm of the government. There will be no long-term planning, it will be run on a day-to-day basis and we will see a continual downgrading of the industry to a minimum electrical service.

1420

ORAL QUESTIONS

MINISTERIAL RESPONSIBILITY

Mr Nixon: I have a question for the Premier in response to statements made over the last two days by the Solicitor General in response to questions. The Premier would be aware that the Solicitor General has indicated that he gave written instructions to his staff about contacting the judiciary. When we read the contents of those written instructions they say, in part, as follows, "Your constituency office staff may represent constituents in their dealings with tribunals and boards."

I think the Solicitor General is correct when he says his staff might not have taken that as a direct indication that they should not write to judges. In spite of the unbelievable aspects of his staff not knowing that to begin with, and since this direct quote comes from directions from the Premier's office, will the Premier indicate whose fault it is that the staff received totally inadequate written instruction?

Hon Mr Rae: First of all, the question has to be put in the context of the conflict law which is there as a matter of record and, second, the conflict guidelines which came out on 12 December. The memorandum the member is referring to was intended to help people. It was intended to clarify and give people a sense of the judgements that they had to make on a daily basis, but I do not think there has ever been any question about the inappropriateness of people getting in touch with the judiciary. That has not been an issue. That has not been challenged by anybody, either on this side or on any other side in public life for the last 20 years.

Mr Nixon: The Premier is correct in this, and if his Solicitor General read the guidelines that were presented to him on his swearing in, he should have known about it as well. The Premier is taking a strange tack indeed when he excuses the Solicitor General for not passing that information on to his staff, particularly in these events, when the staff are totally responsible for their actions and cannot rely on the support either of the Solicitor General or the head of the government.

The Solicitor General went on to say that he had verbally instructed his staff not to contact members of the judiciary. However, his staff, under the capable assistance of lawyer Clayton Ruby, has told the RCMP they received no such advice. How does the Premier square that with his guidelines to the minister and his understanding of the approach to the responsibility of ministers, since the RCMP indicated the staff did not receive the instruction, but the minister said he gave the instruction?

Hon Mr Rae: The only documents I have seen say that a couple of the people who were interviewed were not aware of written guidelines. But as far as I am concerned the minister has said in the House—he has said on a number of occasions—that he has spoken to his staff both here

and in his constituency about what is appropriate and what is not, and I am satisfied with the minister's explanation.

Mr Nixon: Certainly the Premier should be satisfied with his minister's explanation because he has not called for his resignation. But the Premier, although he has not read the RCMP report, and will not, must have read the summary that was prepared by the officials of the Attorney General's department, even though they themselves were the subject of at least some of the—can I use the word "investigation."

It was there that it was indicated clearly that the two people the Premier mentions just in passing who were interviewed, who happened to be the people who had written the letters, had not received oral instruction. So what is the Premier going to do about that? Is the RCMP wrong? Are they stupid? I do not use the word "lying," because, of course, why should they? What conclusion does that leave as far as the Premier is concerned?

Let me put it in these terms, if the Premier will permit me: The Premier has indicated the Liberals and others are vindictive in continuing this, yet he knows and he has read, as I have read, the editorial comments from every significant newspaper in the province, including the Cambridge Reporter, "Solicitor General Must Step Down."

If he is going to maintain his guidelines and he finds they are unsatisfactory to the opposition, he may be able to live with that. But since they are unsatisfactory to the people in the province, at least through the free press, who are looking at it in this particular regard, is he contemplating the adjustment of his guidelines so that actions similar to those exemplified by the Solicitor General will be seen to be acceptable when in fact by impartial review they are totally unacceptable and have no place in any democratic cabinet?

Hon Mr Rae: I have already made clear what I hope will happen. The matter of guidelines has been referred to a committee. It has been discussed in a committee. I have made it clear in answer to questions on a number of occasions that I am looking forward to a report with respect to the general question of guidelines and the conflict-of-interest law. I look forward to making changes in the law which I hope will improve it, because that is the approach we are taking to this question.

Mr Nixon: But the Premier is not looking forward to sending the matter to the standing committee on administration of justice, which might give him another kind of report on this specific matter, in spite of the fact that the employees said they received no written or oral instruction.

ONTARIO SCHOLARSHIP AWARD

Mr Nixon: I would like to continue with this matter, but I am so concerned that the government has announced the end of the Ontario scholarship award that I want to ask the Premier about this important matter.

The award of the Ontario scholarship does not go that far back in history, but certainly back farther than my involvement in public affairs. Most of us have friends and children and others who are proud of the fact that their average 80% was not only recognized by a certificate

signed by the minister but by an award of dollars, which is understandable.

How can the Premier possibly have supported in cabinet the withdrawal of this award at the very time we want to encourage scholarship?

Hon Mr Rae: I am going to let the Minister of Education answer that question.

Hon Mrs Boyd: We certainly agree with the Leader of the Opposition that we do want to encourage our young people to excel at their studies. One of the issues for us was whether the Ontario scholarship program as it is currently set up would in fact do that.

When it was brought in in 1959, the \$400 award that went along with the Ontario scholarship was approximately 80% of the tuition fee that was charged at universities. It was dropped to \$100 in 1973 and now is only about 6% of the normal cost of tuition, so the financial aspect of it is no longer as impressive as it was at one time.

Indeed, the honour part of it still remains. Students this year will get their certificate designating them as Ontario scholars and during the next year we will be consulting with the community, parents, students and teachers, to find a way to have a more complete and complex honour program for students that honours not only students who are going on to university but students who are of excellence in other ways.

1430

Mr Nixon: I would simply express to the minister—by the way, I regret that it was referred to her, although she is certainly knowledgeable. This is a budgetary matter, frankly, of quite signal importance. We will deal with the Minister of Education in this regard because it is her signature on a piece of paper that is going to be cranked out by some fax machine somewhere to replace the cheque and will be held to the breasts of the scholars who say: "My God, isn't this great? I'm glad I did my homework."

I would suggest to you, Mr Speaker, that while I have the highest regard for the minister and her signature, it is not going to replace the tangible award that has been associated with achieving 80%. Would she not say and would she not see that this, associated with her rejection of our testing and joining in the testing process across Canada, is a further deprivation of the sorts of awards that are designed to improve scholarship, and that in fact this is going to be seen as a slap in the face by parents, good children, school boards, good scholars, and those who want improvement in our education?

Hon Mrs Boyd: We are faced with a time of real difficulty, and the opposition has consistently talked to us about how we are going to manage the finances in this province. They have talked about the funding of education and they have talked about the need for us to put as much of our money into the actual educational process as possible. We agree. The Ontario scholarship program is now costing over \$2 million a year, and it is \$2 million that we believe firmly is better spent in other ways in order to encourage scholarship among our students. We do not think that the size of this monetary award was what students in our system worked towards. We do think they

worked towards the honour and the recognition from their peers and from their government, and they will continue to get a certificate, not a faxed message.

Mr Nixon: I am interested that the Minister of Education, in her efforts to save money on education, although she spent \$7 billion, is saving \$2 million. At the same time, her colleagues in the front row are giving the doctors an additional \$484 million; her colleagues in the front row are giving 5.8% plus 11% increases to the public service; her colleagues in the front row are increasing the expenditure of a \$43 billion budget by 13.4% to \$52 billion, and she cannot find \$100 for Ontario scholarship. Where are her priorities? What is the matter with her leadership in the search for quality in education?

Hon Mrs Boyd: In our budgeting process, we worked very hard to get as high a transfer payment level as possible to go to the school boards to be used in the classroom for our students. At 7.9%, we were the second highest transfer amount in the budget. It was difficult for us and in fact we were criticized by the opposition for having given that high a percentage. We believe that is the way our money should be spent. Indeed, if we are going to be responsible fiscally, we have to make some tough choices that the previous government was not prepared to make.

MINISTERIAL RESPONSIBILITY

Mr Harnick: My question is for the Solicitor General. I am quoting from the *Globe and Mail* on 4 June last. The Solicitor General was quoted as stating as follows:

"I carried out my responsibility. I brought back the message of separation. I brought back the message of arm's length from the judiciary. My senior member of staff understood that. A part-time member of staff made a mistake."

I am now quoting from the statement the Solicitor General made in the Legislature on 23 April. He stated:

"I looked into this matter immediately, and I have learned that the letter was written by one of my constituency staff, who was on probation and who sought direction from a more experienced staff member."

Now the Solicitor General has told us that he reiterated time and time again to his senior staff person to remain at arm's length. If his part-time or probationary person went to a more senior person, how come that senior person did not know to tell that person not to write the letter to the judiciary?

Hon Mr Farnan: All I can say is that all of those staff in my constituency office have had discussions with the RCMP. They have made their statements, and the statements of those members stand. I made my statements in the House and I made my statements to the RCMP, and my statement stands.

What is very clear is that a senior member of my staff not only heard and understood; she implemented my direction, and that is very clear in the report of the RCMP. But a part-time member of my staff feels she did not hear that direction. That is the distinction.

Mr Harnick: I am going to ask the Solicitor General again, now that I have heard his nice speech. The fact of

the matter is that the senior person that he keeps saying had instructions was also the person he said was the person who was consulted with by his junior people. If that is the case, he has told us two completely inconsistent things.

If the senior person was consulted and the senior person was also advised by the Solicitor General, how did the letters get written?

Hon Mr Farnan: One of my problems is that I do not try to hide inconsistencies. If, for example, there is an inconsistency, that is a reality. This is as open and clear as a book. I ask people what happened. If somebody says to me, "I consulted a senior member," I listen to him and I actually believe him. If I am informed of that and I give that as information, it is because it has been told to me. If I make a statement to the RCMP, it is because of the facts as I have presented them in the House to the RCMP.

I can tell you, Mr Speaker, the easiest thing in the world is coverup. But to face an inconsistency, I am prepared to do that. Certainly a part-time member of my staff made an error on a parking ticket. That is what happened. He did not take the direction that was given. A senior member of staff heard the same direction and followed that direction.

Mr Harnick: The Solicitor General has indicated that the inconsistencies are clear. I will agree with him. The inconsistencies are clear. The explanations are absolutely implausible. Now I am going to ask him for the third time how it came to pass that his senior constituency person advised the junior person and the letter was written, yet the Solicitor General says he gave the senior person instructions. I put it to the Solicitor General that he is misleading this House, because if he gave those instructions—

The Speaker: The member for Willowdale.

Mr Harnick: May I point out my predicament? My predicament is—

The Speaker: Order, please. Many members have predicaments at many times. Mine is the precise words that I hear uttered. As you know, I heard words that really should not be uttered here.

Mr Harnick: I will withdraw those words.

Interjections.

The Speaker: The member for Guelph, come to order. The member for Willowdale will place his question, please.

Mr Harnick: I would like to know from the Solicitor General who is telling the truth. Did he really advise the senior person? Because the junior person certainly says that he did not, and the senior person was the one the Solicitor General told this House advised the junior person. How could it be? Could the Solicitor General please give us an explanation to make the inconsistencies clear?

Hon Mr Farnan: It is very simple. I went to my constituency. On a consistent basis I informed my staff there must be separation, there must be arm's length. It is very clear from the report of the RCMP that the senior member of the staff understood that message and implemented that message.

It is also clear that a mistake was made by a part-time member of staff on a \$32 parking ticket for an 82-year-old man after she had received from the clerk of the court the advice to phone the justice of the peace. An honest mistake was made by a junior member of my staff in an effort to help a constituent. My statements in the House remain the same.

1440

TIRE RECYCLING

Mr Cousens: I have a question for the Minister of the Environment. I would like to go back to a matter raised with the minister last week. She has told the House on a number of occasions that every community in this province must take care of its own waste. However, we now have two exceptions to this dictate. First, we have the shipping of waste from Kingston to Ottawa-Carleton and now we have some 800,000 tires being shipped to the United States from the P & L tire site in the Hamilton area.

I am led to believe that they are going to Indiana. I have tried to find out what will happen to these tires in Indiana. However, my staff has contacted every major tire recycler in Indiana, yet no one knows where they are going or what will happen to those tires.

There is a very good chance that these tires will simply be landfilled, stockpiled or incinerated, a wild departure from the statement the minister made on 27 May when she said, "We did not wish to see those tires incinerated, either accidentally or purposefully."

Does the minister have any idea what exactly will become of these tires once they leave Canada? Can she guarantee that these tires will be recycled and that they will not be landfilled, stockpiled or incinerated?

Hon Mrs Grier: When this question was raised with me before, I think last week or the week before, I indicated to the House that I hoped to be in a position to sign a contract for the removal of the tires from the dump, the P & L site, by the end of that week, and gave my position that it was not our intent to sign a contract that would result in anything other than recycling and reuse of those tires. The contract has not yet been signed, so I am not in a position to answer with any degree of definitive facts the member's question.

Mr Cousens: Last week the minister's rationale for shipping the tires to the United States was that they were considered to be unsafe and a risk to our environment. She further stated, "We have to take those decisions that we consider are in the best interests of the environment, because that is our bottom line."

It turns out that the United States has well over two billion tires of its own that it is stockpiling, that it does not know what to do with. They are dumped all over the place. In Detroit there are buildings just filled with used tires. You find tires in the back roads and concession roads, the same way you find them dumped all over the place here, on private property or empty land or in landfill sites.

The US has as big a problem with old tires as we do. I am concerned that once those tires are shredded and leave Ontario, they will be handled by individual states for treatment that may include the incineration of those tires.

The Speaker: And the interrogative part?

Mr Cousens: I am coming to it, Mr Speaker, very quickly. I have also been informed that eight Ontario bids for this contract were refused. Who were these firms and why was the American bid considered more environmentally sound than the Ontario bidders?

Hon Mrs Grier: With all due respect to the member, I think the questions are premature. As I indicated to the House, a contract has not been let for the removal of the tires from the site. Our ministry is considering the merits of the various bids that have been received. Some were not acceptable, did not meet the terms of the tender and therefore have been rejected.

It was certainly my hope when I first addressed this issue that I would be in a position to describe the tender that had been let by the end of that week. It has turned out not to be possible to sign a tender in the time frame I had originally intended, but I agree with the member that the disposal of scrap tires is a very real problem.

As I have explained to the House before, we are looking for a long-term solution for the tires that are accumulating in this province. As a result of the funds that have been allocated from the tire tax fund to my ministry, there are a number of pilot projects under way and I am confident we will find a long-term solution that will not be incineration for these tires.

Mr Cousens: We do have a problem, and I think the minister is part of it. She makes an announcement and then nothing happens. What happens when those tires are shredded, disappear from this province and become a commodity in the United States? Who knows what is going to happen with them?

It seems to me, and it seems to people who are looking at what is happening in her ministry, that something hypocritical is going on. First of all, she has millions of dollars in the tire tax fund to develop Ontario's own tire disposal system. Second, she has an Ontario scrap tire advisory committee, where members are resigning out of frustration with her delays and what is going on in her ministry. She also has here in the province of Ontario and in Canada the expertise to do something, and yet she persists in exporting Ontario's problems to other places.

This is not just a case of money and jobs; it is a case of where Ontario has a situation and she has raised a moral question around how she is going to handle these tires. How much longer is she going to allow a foreign country to take responsibility for our tires and perhaps risk the hazard of an environmental problem which we ourselves have created? I think the minister is putting us in a position where she is saying one thing and then not doing anything. What she is doing can end up having environmental impacts that are against what she has said she was going to do.

Hon Mrs Grier: There are a number of facts that I think need to be made plain with respect to how we are handling the tire problem in this province. First of all, we want to make sure they are safely stored. The site, which I think the first point the member made in his first question, is a site with which we have been very concerned;

800,000 tires up till recently not stored in a safe way is a problem, and we have to address that short-term problem of what to do about that site.

In the long term, we have been expending up to \$10 million from the tire tax fund to look at made-in-Ontario solutions to deal with an Ontario problem. Those solutions have every prospect of bearing fruit and providing secondary industries here in this province that will enable us to look after the problem we create and a solution that I hope will involve the manufacturers of tires assuming some stewardship of their product and being part of the solution, not just part of creating the problem.

With respect to the P & L site, I have indicated to the member and to the House that we have a very immediate problem that has been addressed by looking at contracts from those people who felt those tires could be shredded and reused. That is the bottom line: to reuse the product, not just dispose of it.

1450

CROSS-BORDER SHOPPING

Mr Conway: My question is of the Minister of Industry, Trade and Technology and it concerns the announcement made by his colleagues yesterday about the new government's retail business holidays policy.

In his capacity as one of the economic development ministers, would the minister help me understand how it is that what his government announced yesterday will help in any material way the several Ontario border communities which are currently suffering from the haemorrhage that is cross-border shopping?

Hon Mr Pilkey: I cannot assure the member that every decision and every public policy this government makes will dovetail with every difficult circumstance that is present here in Ontario. What I can tell the member is that there is a wide variety of concerns with respect to cross-border shopping. Many of them are federal, in that it is a federal border and federal customs and excise officers who patrol, monitor and enforce the laws of this land at those particular borders.

We have been very active in our ministry with the border communities. I think if the member checks with the mayors of those particular communities, they will attest to that fact, how this government has been very helpful and continues to join hands with them to seek solutions. As a matter of fact, we will be meeting with the task force of the provincial government, the mayors and the federal government, I believe on 25 June or 2 July, to further pursue answers and responses to this difficult situation.

In fairness, I would like to add that in the investigations we have pursued to date there are no simple, quick, magical answers to this difficult problem, but we are committed to continue to persist in finding those kinds of remedies that will redress this difficult situation.

Mr Conway: I can tell the minister in response to his invitation that we talk to the mayors of these communities. This very day the Liberal task force is in one of those cities, where the mayor has said that the government of Ontario, in its most recent budget, undertook measures that have made the cross-border situation worse and that

yesterday's announcement in respect of the new retail business holidays policy has in fact made the situation worse than it was two days ago.

In light of that kind of testimony being offered, I repeat, can the Minister of Industry, Trade and Technology, in his responsibility as one of the economic development ministers and as one of those signatories to An Agenda for People, help me and help the people of those border communities understand in some specific way how yesterday's policy will do anything but aggravate the haemorrhage of cross-border shopping?

Hon Mr Pilkey: I wish to thank the member for the question. I think it is presented, interestingly enough, in quite a fair and open way, and I appreciate that.

It very well may be that circumstance does not help the very complex situation of cross-border shopping, and for those who express that it may exacerbate the difficulty in some way, that also may in fact be true. I can tell the member very honestly, though, that it is the position of this government—and it was also stated in An Agenda for People—that we support a common pause day and all that goes with that for the protection of workers and those who support that kind of circumstance as an ideology.

I regret if there is a modicum of circumstance that negatively impacts on that alternative situation, but I would conclude with this: I believe even if we had not passed this situation, we would still have the cross-border shopping problem. That in itself would not have solved that very complex and broad-based problem.

PLANT CLOSURE

Mrs Witmer: My question is for the Minister of Industry, Trade and Technology. I heard my colleague the member for Kitchener accuse the former Liberal government of not helping the 2,000 workers at Uniroyal in Kitchener-Waterloo. I understand the minister is going to be meeting with company officials next Monday morning. I would like to know what he is prepared to do to help those 2,000 Uniroyal workers and the thousands of other workers in this province who have lost or are about to lose their jobs. What is the government prepared to do? What incentives will the minister provide to keep those jobs and those employers in Ontario?

Hon Mr Pilkey: I appreciate the question. In fact, I will be having that meeting on Monday afternoon next week. In the discussions I have had and that other government officials have had with that company, it has indicated that quite frankly the tire industry is sick. There is a situation where there are low car builds, a situation where there is an overcapacity in the marketplace, and all of that, of course, is having an impact on pricing. It has been suggested to me that there is such an oversupply that it would be equivalent to closing seven tire plants.

This particular company, I believe, has lost somewhere around \$1 billion, and it is joined by other major players in the marketplace such as Bridgestone and Goodyear that are all, on an industry-wide basis, suffering this malaise of the softening market. As a matter of fact, I noticed in the media today that the chairman of one of the major tire

companies in the United States has resigned. He chaired a company that has racked up significant losses.

In terms of what this government is prepared to do, we are prepared to meet with this company, to meet with the bargaining unit, to discover if there is anything we can do to ameliorate this very difficult market-driven situation and to see if there is some way we might assist to obviate the need for this unemployment.

The Speaker: Would the minister conclude his remarks, please.

Hon Mr Pilkey: I would close with this, Mr Speaker. I and yourself and the other members of the House were misled by statements of another member opposite yesterday, when he suggested that they had—

Interjections.

The Speaker: I respectfully suggest the minister may wish to withdraw those remarks.

Hon Mr Pilkey: I will, if it is the rule, but it is a fact.

The Speaker: I think we have been through this routine before.

Interjections.

The Speaker: Order. Would the members come to order. It is not up to me to determine the veracity of statements, but rather to maintain decorum in the House. In that regard, I would ask the minister if he would withdraw his remarks.

Hon Mr Pilkey: Mr Speaker, in order to maintain the decorum of the House and to follow the rules, I will withdraw the remark. I will simply indicate to you then that a suggestion was made by a member opposite that the government of that day had put millions of dollars into the plant in Kitchener, and the record will attest that this is not factual.

Mrs Witmer: I appreciate the fact that the minister is going to try to help the Uniroyal workers and I look forward to seeing him take very positive and concrete steps to do so. However, I personally believe that it is becoming abundantly clear that many of the policies of the government are not aiding in the creation of new jobs and we are not maintaining the jobs we already have. His policies might be creating jobs in New York state, but we have lost 248,000 jobs since the new NDP government took office and started spooking investors.

In the Hamilton area, for example, a Swiss company has decided not to participate in a project to develop a health sciences business park because—

Interjection.

The Speaker: Order. The member for Kitchener will come to order. The member for Waterloo North is waiting patiently to place her final supplementary. Would she do so.

Mrs Witmer: I mentioned that since the NDP took office we had lost 248,000 jobs in this province and we have started to spook investors. In the Hamilton area—

Interjections.

1500

The Speaker: Would the member for Waterloo North place her question. The member for Waterloo North has—

Mrs Marland: On a point of order, Mr Speaker: Surely you have enough control over this House to have these members called to order. It is impossible for my colleague—

Interjections.

Mrs Marland: You see? I cannot even speak now.

The Speaker: Order, please.

Mrs Marland: To have two members raise a sign in this House the way they just did and for that action to be ignored, I respectfully suggest to you that the decorum on that side of the House leaves a lot to be desired. When my colleague—

The Speaker: Would the member take her seat. First of all, I draw to the member's attention that indeed the members who did what was done were called to order. As the clock continues to tick, your colleague is waiting to place a question. I would ask the co-operation of all the members in the assembly so that the member for Waterloo North can complete her question and we can get on with the orderly business of this House.

Mrs Witmer: I would like to give an example of a company in Hamilton. A Swiss company has decided not to participate in a project to develop a health sciences business park because, as the company's lawyer explained in a letter to the region:

"The current provincial government does not show any desire to give any incentives to business to settle in Ontario. My client is very pessimistic that any significant national or international business would consider opening for business in Ontario, particularly in view of the 29 April 1991 deficit budget."

How does the minister reconcile that analysis with the government's line that Ontario remains a good place for investment?

Hon Mr Pilkey: Ontario does in fact remain an excellent place to invest.

Mr Speaker, with your permission, I would like to take a few moments to address the very serious question that the member raised. I would like to indicate—

Interjections.

Hon Mr Pilkey: Mr Mahoney is going to listen in just a moment, I am sure.

The Speaker: If the minister would address his remarks to the Chair.

Hon Mr Pilkey: We do have present here a recession which is a North American recession. There are problems in Canada; there are problems in the United States. We are also facing a circumstance of global competition which is making it difficult here in our home markets. We have a federal government circumstance where we have a free trade agreement, which the members opposite well know about. We have federal policies with respect to our high dollar which are impacting these corporate decisions. We have a circumstance of high interest rates, although I am

very pleased to see that the governor of the Bank of Canada is reducing them. We also have the circumstance of the previous government and the budgets of the previous Treasurer, who incorporated a very large number of taxes which corporate Ontario were not pleased about.

The Speaker: Would the minister conclude his remarks, please.

Hon Mr Pilkey: I think all of us, federally, provincially, or even the previous government, have to be concerned with the slippage in the competitiveness of Ontario industry, Canadian industry and North American industry. It will be important for all of us to continue to offer programs—

The Speaker: Would the minister conclude his remarks, please.

Hon Mr Pilkey: —and circumstances that restore the competitiveness to Ontario industry.

CHILDREN'S SERVICES

Mr Wessenger: I have a question for the Minister of Community and Social Services. I am extremely concerned about the ongoing need for better health care for Ontario children with emotional and mental health problems. This issue has been brought to my attention by constituents, by service providers and by the human services planning council in my riding. They are concerned about the long waiting lists for counselling services and the lack of residential care beds. As the situation is not isolated to my riding, I would ask if the minister can bring this House up to date on the work being done to address this situation.

Hon Ms Akande: I too am concerned about this situation, and it is a situation which, once again, we have inherited. We have been very conscious of the numbers that have been recorded, and there is great debate and not much conclusive evidence about those numbers, but if there is one child on a waiting list, that is one too many.

We have initiated several things, including a study to better identify and assess the needs of children so that they can be more appropriately and immediately met. Another thing we have done is to move towards integration of services, and in the communities where that has happened, those children have been served very quickly and very directly.

Mr Wessenger: I am just wondering if there are any other practical ways in which this whole area is being addressed.

Hon Ms Akande: One of the things we have attempted to do is to employ those who are most directly involved with the children. I am meeting this very evening with the Ontario Association of Children's Mental Health Centres. I will be addressing them at that time, and later some of us will be meeting to discuss the consultation that is going on around that very issue.

Mrs Caplan: I have a question for the Minister of Municipal Affairs. Is he joining us in this question period?

The Speaker: Do you wish to direct a new question? The member for Wilson Heights.

TAX INCREASES

Mr Kwinter: I have a question for the Treasurer. I want again to return to the question of the gas guzzler tax.

On 17 May 1991, the Minister of Energy met with 15 retail auto dealers in Peterborough. I do not know if she conveyed their concerns to the Treasurer, but she was told of the severe pressure the retail auto industry is experiencing. In particular, Jack McGee of Jack McGee Chevrolet-Oldsmobile-Cadillac told her that he had to lay off 17 employees, which represents 24% of his total workforce, and to his knowledge—he has been following them up—not one of them has found alternative employment.

When the new gas guzzler tax comes into effect on 1 July, it will exacerbate the business problems of all the dealers like the Jack McGees in Peterborough and the Shelly Schluters in Kitchener.

Can the Treasurer tell us what he is going to do? His colleague stood up and acknowledged that he had made a mistake. When is he going to stand up and acknowledge that he has made a mistake and rescind this tax that is a punitive penalty to the auto industry?

Hon Mr Laughren: I certainly would not hesitate to stand in my place and admit I made a mistake if I were convinced that was the case. Since the member last asked the question last week, I have gone back and talked to Treasury people about the inventories in the car lots, and as well the Treasury officials have met with the car dealers, at least one of the associations, if not several of them. We are examining that whole question.

I would say to the member opposite that the gas guzzler tax was put in for a couple of very specific purposes, namely, fuel conservation and environmental purposes. I think, to be fair, the member opposite did not suggest that any layoffs that have already occurred in the car lots were a result of a tax that has not yet been implemented, and I certainly concur with that, but I think that the member should be fair and acknowledge the fact that there is a very specific purpose for this gas guzzler tax and those are admirable purposes.

Mr Bradley: The Treasurer has now heard from the Canadian Auto Workers. He has heard from the automobile manufacturers. He has heard from the automobile parts manufacturers, and that is the component that everybody forgets in this, the parts manufacturers. He has heard from the automobile retailers indirectly and the car dealerships, and now he has heard from Friends of the Earth, an environmental group. There appears to be a consensus developing in the province that this tax on auto workers is simply a tax grab on the part of the Treasurer and his government, disguised as an environmental initiative, and that this is going to have an extremely detrimental effect on the automotive industry, which is so important to the entire province.

In recognition of this, will the Treasurer now agree to my request of some time ago, almost after the budget, that he withdraw this particular tax, a punitive tax on an automobile industry which is under unprecedented competition at the present time, and would he replace it with incentives to individuals in Ontario to purchase new vehicles which

have much better fuel efficiency and much better pollution control equipment and thereby meet both goals of improving the environment and improving the prospects of the automobile industry in this province?

Hon Mr Laughren: I should point out to the member for St Catharines that there is at work as we speak a group consisting of the Big Three and Treasury officials to try and see if there is an alternative. At this point in time I am not convinced there is, but I do not want to prejudice the work of that committee.

I would say to the member for St Catharines that the only person who has accused me of engaging in a tax grab is the member for St Catharines, the former Minister of the Environment. For the former Minister of the Environment to stand in this place and ask me to withdraw an environmental tax I find passing strange.

1510

RETAIL STORE HOURS

Mr Carr: My question is to the great communicator, the Solicitor General. I do not know how he did it, but he seemed to alienate all sides on the Sunday shopping issue.

I think the headlines in one of our daily papers says it best, “‘Wishy-Washy’ Sunday Plan Angers Cities, Labour, Stores.” In Metro they called it a chaotic mess. One of the councillors said, “I’m disappointed because (the province) said they were going to (decide which stores would open), and I naïvely believed them.” Even Cliff Evans, the Canadian director of the United Food and Commercial Workers, said, “I’m very unhappy because it does not remove the local municipal option.” The Ontario Chamber of Commerce said it would tear apart its members. The Canadian Federation of Independent Business said the legislation only adds an extra layer of bureaucracy for small and medium businesses.

Why did the Solicitor General take the chicken way out and throw it into the laps of the municipalities?

Hon Mr Farnan: Let me communicate in a most direct way with the member for the third party. I am standing here presenting the principles upon which this government stands. We stand upon the principle of a common pause day. We are prepared to provide municipalities with provincial guidelines, something that the Conservatives and Liberals have never been able to do.

We recognize tourism as a cornerstone of our economy. That is where we stand. We stand behind the protection of retail workers. That is where we stand. We stand for leadership in supporting family and community values. We will not duck a difficult issue. Where does the member stand?

Mr Carr: We have told this House many times where we stand. We have told this House many times that we stand for getting a new Solicitor General in Ontario. That is where we stand.

Tourism Ontario—and I am glad the Solicitor General brought it up—said that Sunday cross-border shopping by people in Ontario increased by 32% between February and March of this year, following the reimposition of the Sunday shopping restriction in Ontario.

My question is, will the Solicitor General tell us if his legislation will help the cross-border shopping problem?

Hon Mr Farnan: Cross-border shopping is seven-day-a-week shopping. If there is a bargain across the border on a Friday, people will cross the border on a Friday. They will cross the border on a Saturday. Indeed, for a bargain they will cross the border on a Sunday. Even when we had wide-open Sunday shopping, there was an increase of the outflow of dollars across the border.

What the member does not realize is this: We are not talking about cross-border shopping; we are talking about a common pause day for Ontario. That is what we are talking about. This government is going to stand behind that. That common pause day will be founded upon provincial guidelines, tourism as a cornerstone of the economy, protection for retail workers and the support of family and community values.

CHILD CARE

Hon Ms Akande: I have a response. I would like to answer a question which the member for Burlington South asked me on Monday. I had said at that time that I would respond in this House.

First, there are three child care centres in Ontario which have been built in part with ministry funding but have yet to open. Two of those centres are involved in the establishment of boards, which he knows is very important for non-profit centres, and also in the establishment of certain procedures in subsidy uptake, and they will be opening shortly. The third of those centres is really the result of a recent move to new facilities, where the francophone population it was directly serving is more situated.

The second part of the question requested some information about a non-profit child care centre in Richmond Hill. A study in York region has established Richmond Hill as an area which has a great need for child care services. Observatory Lane was not built with any ministry money. There has been some funding in terms of other support services.

Mr Jackson: I fear the minister did not really hear the question that was presented to her. How many day care centres are actually constructed and are available to be opened and have not opened, and how many of her government's tax dollars were to be used? That was the question.

The response failed to specifically mention Genesis project and Observatory Lane, the two projects I brought to the minister's attention in the House earlier this week.

The minister's staff has not advised her adequately, fairly or properly. My information, which has been shared with Global News, which broke this story recently after I raised it in the House, is that the management at Observatory Lane contacted a local operator last December and asked if it would come forward and take over the property. As we stand here, that property is still empty and vacant and has been since September.

I will ask the same question: Can the minister please advise this House just how many day care centres have been constructed that are sitting vacant waiting to be

opened in this province, the funding for which the province has assisted in? How many centres are involved?

Hon Ms Akande: As I said, and I will say again much more clearly and distinctly, there are three centres which have been built with ministry money. Two of them are in the process of establishing boards and getting on board in terms of subsidies. Another is concerned with re-establishing. It has moved its site because of its population distribution.

The member referred to Observatory Lane. I have said clearly that ministry money was not involved in the actual construction of the site, that the site was completed not last September but in March 1991, and that the ministry money for that particular Observatory Lane has been involved in the other supports that are directed towards the establishment of child care.

Genesis is not yet complete. The internal supports of Genesis are not totally finished, and it is due to be opened later this year.

1520

The Speaker: New question.

Ms Haeck: Mr Speaker—

The Chair: The member for S-D-G & East Grenville. Interjections.

The Speaker: Stop the clock. Would the member take her seat for a moment. The practice that has been followed in this chamber is that when a minister stands to respond to a question raised earlier there is a supplementary allowed. We go back to rotation, but it goes to this side and then there and here. Based on a bit of confusion over there—I sense there was some confusion—you would have to wait until the rotation came back around to your side again in order to ask a question.

I apologize to the member for S-D-G & East Grenville, but I will recognize the member for Oriole, who clearly had indicated to me earlier that she wished to place a question but did not stand because of the confusion which occurred.

RETAIL STORE HOURS

Mrs Caplan: I have a question for the Minister of Municipal Affairs. In opposition the NDP criticized the municipal option as the chicken way out. The mayor of Windsor recently indicated that under the new NDP Sunday shopping legislation the city will likely implement a bylaw to declare the so-called tourist exemption for the entire city. Could the Minister of Municipal Affairs please explain the difference between the municipal option, which they so criticized in opposition, and this so-called tourist exemption?

Hon Mr Cooke: I would be very pleased to explain the difference for the member, and I suggest she might also want to get a briefing from the ministry, because there are simply no parallels between the legislation the Liberal Party brought in and the legislation being suggested by this party.

The approach the Liberal Party took when it was in government was to say the entire issue was being turned over to municipalities. This government is saying there is

going to be a common pause day, with the exception of tourist areas, which will be defined at the local level. The definition of a tourist zone and the criteria for the tourist zone are clearly spelled out in our legislation. It is the first time that has been done. There is no confusion at all, other than in the mind of the critic for the official opposition.

PLANT CLOSURE

Mr Jackson: On a point of order, Mr Speaker: During the course of question period the member for Chatham-Kent uttered a phrase which I would ask that he consider withdrawing from the record. Perhaps it is with Hansard. He referred to corporate welfare bums. I for one find it offensive that any member of the House would stylize any person under any circumstance requiring social assistance as a bum. I would ask the member for Chatham-Kent to withdraw that offensive phraseology. I would ask him if he would consider it. This is a sensitive matter in this province at this time and the usage of that language is most inappropriate.

Mr Hope: I do withdraw.

INTRODUCTION OF BILLS

COURTS OF JUSTICE AMENDMENT ACT (PROVINCIAL JUDGES' COMPENSATION), 1991 LOI DE 1991 SUR LES TRIBUNAUX JUDICIAIRES (RÉTRIBUTION DES JUGES PROVINCIAUX)

Ms Lankin moved first reading of Bill 117, An Act to amend the Courts of Justice Act, 1984 respecting Provincial Judges' Compensation.

M^{me} Lankin propose la première lecture du projet de loi 117, Loi portant modification de la Loi de 1984 sur les tribunaux judiciaires en ce qui concerne la rétribution des juges provinciaux.

Motion agreed to.

La motion est adoptée.

Hon Ms Lankin: Today I am tabling for first reading a bill dealing with compensation for Ontario provincial court judges. This legislation represents the original package introduced by the former Chairman of Management Board in 1989. The bill codifies in statute recommendations supported by all three parties in the standing committee on administration of justice of the last Parliament.

The legislation is a result of a consultative process starting with the Ontario Provincial Courts Committee, more commonly known as the Henderson committee.

The Henderson committee, with a representative for both the government and the judges, plus a neutral chair, was reconstituted in 1988 and reported to the former government in September of that year.

The report was then referred to the standing committee on administration of justice, where it received unanimous support.

The former Chairman of Management Board of Cabinet tabled legislation to implement the majority of the Henderson committee recommendations in December 1989, but it did not receive passage prior to the change of government in 1990.

However, the former government did maintain the salary increases of the judges without legislation during this period. This bill codifies current practice.

Any increase to judicial salaries will be tied directly to changes in the average industrial wages index, capped at 7%. This feature parallels a similar provision for federal judges. It also reinforces the independence of the judiciary by ensuring that determinations of judges' salary levels are made independent of the political process.

As well, the bill ensures continuation of the review process—the forum through which provincial judges and the government will discuss compensation issues. It brings to fruition the work of the Ontario Provincial Courts Committee.

POWER CORPORATION AMENDMENT ACT, 1991 LOI DE 1991 MODIFIANT LA LOI SUR LA SOCIÉTÉ DE L'ÉLECTRICITÉ

Ms Carter moved first reading of Bill 118, An Act to amend the Power Corporation Act.

M^{me} Carter propose la première lecture du projet de loi 118, Loi modifiant la Loi sur la Société de l'électricité.

1533

The House divided on Ms Carter's motion, which was agreed to on the following vote:

La motion de M^{me} Carter, mise aux voix, est adoptée :

Ayes/Pour—60

Abel, Akande, Allen, Boyd, Carter, Charlton, Christopherson, Churley, Cooper, Coppen, Dadamo, Ferguson, Fletcher, Frankford, Gigantes, Haeck, Hampton, Harrington, Haslam, Hayes, Hope, Huget, Jamison, Johnson, Klopp, Laughren, Lessard, MacKinnon, Mackenzie, Malkowski, Mammoliti, Martel, Martin, Mathysen, Mills, Morrow, Murdock, S., North, O'Connor, Owens, Perruzza, Philip, E., Pilkey, Pouliot, Rizzo, Silipo, Sutherland, Swarbrick, Ward, B., Ward, M., Wark-Martyn, Waters, Wessinger, White, Wildman, Wilson, F., Winninger, Wiseman, Wood, Ziemba.

Nays/Contre—32

Arnott, Bradley, Caplan, Carr, Chiarelli, Cleary, Conway, Cousens, Cunningham, Daigeler, Fawcett, Grandmaitre, Harnick, Jackson, Jordan, Mahoney, Marland, McLean, Murdoch, B., Nixon, O'Neil, H., O'Neill, Y., Phillips, G., Poirier, Runciman, Ruprecht, Sola, Sullivan, Tilson, Turnbull, Villeneuve, Wilson, J.

Mr Jackson: On a point of order, Mr Speaker: Could I beg the House's indulgence to have unanimous consent to revert very briefly to reports by committees please?

Agreed to.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON ESTIMATES

Mr Jackson from the standing committee on estimates presented the committee's report and moved its adoption.

The Speaker: Pursuant to standing order 58(b), the estimates not selected for consideration by the standing committee are deemed to be concurred in.

Motion agreed to.

STANDING COMMITTEE ON
GOVERNMENT AGENCIES

Mr Runciman from the standing committee on government agencies presented the committee's ninth report and moved its adoption.

The Speaker: Pursuant to standing order 104(g)(14), the report is deemed to be adopted by the House.

1540

ORDERS OF THE DAY

House in committee of the whole.

La Chambre en comité plénier.

FAMILY SUPPORT PLAN AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI

SUR LE RÉGIME DES OBLIGATIONS ALIMENTAIRES
ENVERS LA FAMILLE

Resuming consideration of Bill 17, An Act to amend the Law related to the Enforcement of Support and Custody Orders.

Reprise de l'étude du projet de loi 17, Loi portant modification des lois relatives à l'exécution d'ordonnances alimentaires et de garde d'enfants.

The Chair: Yesterday the House agreed that all divisions requested with respect to the committee's consideration of Bill 17 be deferred until clause-by-clause consideration of the bill was completed. Accordingly, I call in the members for the deferred divisions.

1551

Section/article 4:

The House divided on Mr Harnick's amendment to section 4, subsections 3.4(11.1) to (11.3) of the act, which was negatived on the following vote:

Ayes 28; nays 56.

The House divided on Mr Harnick's amendment to section 4, subsection 3.8(10) of the act, which was negatived on the same vote.

Section 4, as amended, agreed to.

L'article 4, modifié, est adopté.

Bill, as amended, ordered to be reported.

Le projet de loi, modifié, devra faire l'objet d'un rapport.

On motion by Miss Martel, the committee of the whole reported one bill with certain amendments.

À la suite d'une motion présentée par Mlle Martel, le comité plénier de la Chambre fait rapport d'un projet de loi avec certains amendements.

CONCURRENCE IN SUPPLY,
MINISTRY OF THE ENVIRONMENT

Resuming consideration of Mrs Grier's motion for concurrence in supply for the Ministry of the Environment.

Mrs Marland: In rising today to speak on the subject of the Ministry of the Environment concurrences which, as you and I both know, Mr. Speaker, is really speaking to the function, responsibility and actions of any given ministry, I certainly wish I could be standing to commend the current

minister and the work she might have done as Minister of the Environment for the past 10 months.

Unfortunately, as we stand here on 5 June 1991, we have to recognize not only that things have not improved with a new government and a new minister in this province, but that things have become worse. The area of concern to our caucus and certainly to me as the spokesperson for the greater Toronto area and representative for Mississauga South, part of the region of Peel, one of the regional municipalities included in the greater Toronto area, is the current crisis in waste management—

Interjections.

The Deputy Speaker: Order, please. If you want to hold conversations, I suggest you hold them outside.

Mrs Marland: The foremost concern for every one of us in this Legislature should be where this province is going to be with its waste management 12 months from now. We have known about the crisis emerging for the last four or five years. We have not had any new sites approved for landfilling either industrial or residential waste. We are now in a situation where existing sites are being contemplated for expansion, those sites which, when they were originally approved, had a lifespan limit to them.

An example I give to the House today is the Britannia landfill site, which is in the region of Peel. When the Britannia landfill site was originally opened, it was to be open for 12 years. Those 12 years were in fact up last year, in 1990. We have had already a 12-month extension to the life of the Britannia landfill site because a solution has not been found as to where the region of Peel would be able to dispose of its waste had that site been closed last year on time.

1600

What has happened, and why the situation has become even more critical, is that we now know that the only sites which this Minister of the Environment is going to subject to a full environmental assessment are the long-term sites. We have heard this Minister of the Environment stand in this House and admit that the interim landfill sites will not be subjected to a full environmental assessment under the Environmental Assessment Act.

Members may ask where that leaves the people of this province and where it leaves particularly the people in the greater Toronto area, who by the sheer numbers of their population generate the greatest volume of waste. We know that the public are becoming more aware of waste reduction. Every one of us in this House, I assume, is practising waste reduction as a model to his or her constituents. In so doing, we cannot overturn the crisis that is with us today in terms of volume of waste that has to be disposed of. We can, in the long term, remediate where we are today, because hopefully the next generations will not create the volumes of garbage that we have today in Ontario through our past practices.

However, in the region of Peel, the Britannia landfill site was approved originally under the Environmental Protection Act. That was how landfill sites were approved at that time. I have sat in this House now for six years with the member for Etobicoke-Lakeshore and I have heard her.

I speak from the same hymnbook, so to speak, the same melody and completely in agreement about the fact that landfill sites should not be approved for use in this province without a full environmental assessment under the Environmental Assessment Act, not the Environmental Protection Act.

However, since this member has become the Minister of the Environment, we have heard two totally different statements from her. One statement was that she would not permit site B in the region of Peel or the landfill site in Durham to proceed, because under the former Liberal government's policy they were going to proceed under the Environmental Protection Act. I agreed with the minister when she said that this was not a full enough assessment, but we now have a situation where this same minister is saying something totally opposite, 180 degrees in the other direction. She is saying she may expand the Britannia landfill site, the existing site which was approved under the Environmental Protection Act. So on the one hand she will not approve new sites under that act, yet she will expand an existing site.

The other problem is that while we now know that only long-term sites will be subjected to a full environmental assessment, we also have no delineation as to the term of an interim site. We do not know what an interim landfill site is. We do not know whether interim is six months, six years or 20 years. Our concerns are that if a landfill site operates at all without an environmental assessment, we cannot know whether that is going to be a safe operation or a safe location for that kind of facility in terms of the preservation of the environment.

I simply say, on that subject alone, that unfortunately this Minister of the Environment not only has set policies which are totally opposite to those she espoused when she was the critic for the Environment in opposition, but she has also, since she has become the minister, even contradicted those statements in terms of what sites should be subjected and what will have to be allowed to expand under emergency conditions.

The other little caveat to all of this is that she has also said the expansion of existing sites in emergency conditions may involve the acceptance into those sites of garbage generated outside of their immediate region. It is quite possible, for example, that the Britannia landfill site will be the only one with capacity a year or 18 months from now because it has been extended and expanded, even though legally it does not have the capacity.

The reason I say "legally" is because the Britannia landfill site is in the region of Peel but it is in the city of Mississauga, and the city of Mississauga has a signed agreement that this landfill site would close on a certain date. That date has already been extended once, and if the minister, through a ministerial order, says that date will be extended again, it will be in violation of a written agreement with the city and the people surrounding that site, a blatant violation of a contract in writing with that community.

The worst part is that in an emergency situation, to use the minister's own statement, the garbage that may be taken into that site may be all of Metropolitan Toronto's garbage. If that is the only game in town at that point, it

may well be that the region of Peel will be the recipient of not only Peel's garbage but all of Metro's garbage.

What we have in terms of waste management in this province by this New Democratic government is a big, fat zero. We have no waste management today in this province. I think we have to realize that if this government is going to sit back until the garbage is being piled in the tennis courts and the municipal parks around the greater Toronto area, we will then have confirmation of the fact that not only have the New Democrats in opposition criticized the former Liberal government for their inaction on waste management, but they have actually compounded the situation by making sure that no solution was found.

Sure, they have appointed a waste management advisory council and have said they are reviewing the situation of the waste management crisis in the province, but it does not take much reviewing. The facts are there. The facts were there three and four years ago. The fact today is that there is no solution for waste management other than reduction, with which we all agree, and in the short term, reduction will not be the solution.

I wish to touch briefly on a number of other areas that come under the Ministry of the Environment, other than the fact that we are running out of capacity for waste. I would like to talk briefly about the tire tax money. The tire tax came in under the former Liberal government and was effective in June 1989. At the time that it was introduced—I think in fact it says in the bill that it would be to enhance environmental programs. The former Minister of the Environment, the member for St Catharines, is in the House at the moment. I think if I am wrong he will correct me. But I think, to paraphrase the bill, that the tire tax money was to be used for environmental programs in this province.

1610

That tire tax has now been in effect in this province for two years, and it is my understanding that in those two years we have collected over \$100 million. In two years, it is also my understanding that of this over \$100 million, we have actually had assigned to the program of resolving how to dispose of these tires a mere sum of something like \$17 million or \$18 million.

There is a question that needs to be answered by this government in order to make it accountable to the public, even though it was not its tax; I concede it was the former Liberal government's tax. This government has \$80 million to \$82 million that has been collected under the guise of: "You buy a new tire and you pay \$5 tax on each tire. But that is a very good thing, you know. That is \$5 that is going to be contributed to environmental programs." I simply ask: Where are the environmental programs? Where are the solutions to the disposal of used tires?

We do not see the stockpiles of used tires getting any lower. In fact, today my colleague the member for Markham, who is the spokesperson for the Environment for our caucus, very eloquently asked the Minister of the Environment why she is permitting tires to be sent to the United States for disposal, including incineration. That question was very well put by the member for Markham, because that is an answer that needs to be given, and the answer was not given today.

The fact is that not only do we have money being collected—and, I would suggest, in a very questionable manner, because that money being collected I guess goes into the big, deep black hole called the general revenue fund. When it gets into the general revenue fund it is gone for ever, and it is not allocated for the purposes for which the public understood it was being taxed.

We recall the big outcry when everybody had to pay \$5 on a new tire, not only when they were replacing tires on motor vehicles and bicycles and wheelbarrows, as I recall originally, and of course truck tires, but when they bought a new vehicle with brand-new tires on it. They still had to pay the tire tax. What a farce. What an absolute farce. We have been taking \$5 from the public on every new tire purchased in this province, and the money has not gone to that purpose for which it was designed when that tax was originally introduced.

I may just ask in passing as I leave this subject: Is it not ironic? When that bill was introduced and I was the Environment critic for our party, I stood in this House and pleaded with the then Treasurer to make sure those funds were designated for the environment, because we all know about that general revenue fund, the black hole. I moved an amendment on the floor of this House that the money collected on tire tax would be designated for environmental programs. The government at that time would not accept that designation. The result is that the money has been collected and it has not been spent on environmental programs. I think both the previous government and this government owe the people of this province an explanation about that money collected under the guise of one thing not being appropriated for that cause.

Another area that I would have hoped this Minister of the Environment might have had her staff address by now, and on which we might have seen some direction and policy coming from this government, is the subject of motor vehicle emissions. Obviously when we have a city the size of ours and the volume of motor vehicles increases every week, we can see very easily around us what the impact on the environment is of those motor vehicle emissions.

I know that the new motor vehicles today have catalytic converters and engine modifications that have reduced the emissions compared to what they were 20 years ago, but the irony is that the automobile manufacturers still do not have to develop and apply anything in the design of their cars to guarantee that those emissions will be reduced for the life of the engine. It will take a government initiative to require automobiles in the province of Ontario to have reduced carbon monoxide emissions. The only way that will happen is if they say for all cars up to a certain age, that as long as they are on the road, that engine has to have the modification whereby the environment is protected. It is the air we breathe, and even though we try to encourage the public to leave their cars at home and use public transit, we still are never going to achieve enough reduction in the use of private automobiles. In any case, we have public vehicles which have to be used which also contribute to the carbon monoxide emissions. So we hope

to see some direction from this ministry on that subject too.

In the time remaining I obviously could not cover all the subjects I wanted to. I wanted to talk about the municipal-industrial strategy for abatement. We have a MISA program that is not going anywhere. We still have a lot of problems with pollution in our lakes, waters and streams. All of these things this minister was concerned with when she was the critic. I hope in this next 12 months we will see some changes where this minister is taking strong action on those areas with which she has concern.

Mr O'Connor: It is with great pride and pleasure that I rise today to speak in the House on the estimates for the Ministry of the Environment. In my capacity as parliamentary assistant for the minister, I feel it is a privilege to be working with a person of such vision. Since taking over as minister she has introduced the foundations for a comprehensive strategy for a green government.

Mr Bradley: How many parliamentary assistants are there over there? Everybody is a parliamentary assistant.

Mr O'Connor: She has courageously tackled difficult problems that the member, interjecting from across the floor, at times found were too difficult to tackle, and he avoided those issues. She has tackled them.

Our government is proud of the 3R waste reduction program that was announced this February. The program was designed not only to reduce the amount of waste going to landfill sites, but more importantly, will help to change the attitude from a consumer society to a conserver society. In fact, I have received a lot of letters of support for our waste reduction program, the most recent being from Mrs Harrison's grade 4 class from Uxbridge Public School. They wanted to let me know about an advertising promotion that was very wasteful and they wanted to make sure we were aware that this was going on. I brought it to the minister's attention and sent it on through to the company that was promoting this product and told them these students had given this to me.

Several weeks ago we had a former page in this Legislature from my riding who came down to visit us from Joseph Gould School. She was telling me about a newly formed environmental club and she was really excited because this new club was going to join Uxbridge Secondary School in a cleanup of parts of the town.

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I am glad to speak about these estimates by the Ministry of the Environment because it allows me to address the waste reduction action plan of this government, which will divert 25% of our waste by 1992 and 50% by the turn of the century. Although these targets have been talked about in the past, this is the first time a farsighted major reduction program has been announced by a government.

The program has four important directions to ensure that we are able to achieve these objectives. First, strong regulatory measures will reduce at the source the amount of valuable resources that will eventually end up in the disposal system. Second, the financial and technical systems will be developed to divert these materials from landfills and put them into useful production and reuse them.

Third, the program will help create a healthy market for these materials that have been recovered through active 3R programs. Finally, the program has introduced an education component to educate the public both on the 3R program and the need to change from a wasteful consumer society to one oriented to conserving our precious and limited resources.

Education is the key issue. We have to change our wasteful ways. I am happy to say that it appears people are responding to environmental issues and problems, and are starting to reduce, reuse and recycle. Another way people are showing their awareness is through cleanup and remediation efforts. One example happened during Earth Week. In my riding, constituents gathered at the Uxbridge brook and planted trees. The event was co-ordinated by the Uxbridge Conservation Association in conjunction with the township.

As I was sitting in the House here a couple of weeks ago before the debate on estimates was interrupted, the member for Scarborough Centre told me he had the pleasure of attending an environmental awareness awards night sponsored by the Board of Education for the City of Scarborough. He told me how the students from his elementary and secondary levels were invited to develop displays set up on the principles of the 3Rs. My colleague was so impressed by the level of ingenuity and commitment that the students took and the pride they had in their projects.

Another example of remediation was at Jacksons Point, at the north part of my riding, where last month over 700 volunteers took part in cleaning up the grounds of the Salvation Army camp. In addition to cleaning up, they renovated the cabins and buildings and installed a new playground. I had the pleasure of being at that event and actually took part in planting a number of trees. It shows that these people are concerned about their environment.

Last month there was an event that takes place every year, and Boy Scouts from all across Canada take part in a program called Trees for Canada. I would like to congratulate the many people involved in this Scouts Canada program, for their part not only in educating but participating towards protecting and enhancing the environment. It is a terrific program.

It is very clear that we must begin to deliver the message about conservation of our environment to our children as young as possible. These young people are our future leaders, workers and consumers. They must go forward with their goals for conservation and preservation of the environment. It has to be a first priority. I am confident that my son, Patrick, and his generation will be able to take a look back at decisions made by this government and the management on their behalf for the future and decisions being made by the current minister.

I would like to turn to another decision our government has made that shows our environmental vision. The Niagara Escarpment is a landform that stretches 725 kilometres from Tobermory at the tip of the Bruce Peninsula to Queenston on the Niagara River. There is a diversity of ecological and geological features which makes the escarpment one of the most dominant topographic features

of all of southern Ontario. This is also one of the province's principal outdoor recreation areas. The escarpment contains a wide diversity of plants and animals which are rare, threatened or endangered. As well, it contains the head waters of many major rivers. UNESCO named the Niagara Escarpment a biosphere reserve in February 1990.

Our government has demonstrated its commitment to protecting and preserving important and significant areas like the Niagara Escarpment by having the Niagara Escarpment Commission report directly to the Minister of the Environment. The ministry has provided funding to ensure that the commission's mandate is protecting the environment and that it can be carried out.

I have given but two examples of the forward-looking policies that our government implemented, but we have a lot more that I would like to talk about and our time is limited. One thing happening this week is a conference taking place about a festival and the impact that development is having on the Lake Simcoe area. I think it is very important.

In closing, I want to add that this year's debate was around the previous government's estimates. I look forward to next year when we can discuss the estimates developed by our minister. The Treasurer has announced in his budget an increase of 19% to the Ministry of the Environment which demonstrates further that our government's commitment is to the environment.

The Deputy Speaker: The time for consideration for concurrence in supply has expired. I must now put all the necessary questions.

CONCURRENCE IN SUPPLY

On motions, supply for the following ministries and offices was concurred in by the House:

- Ministry of the Environment;
- Ministry of Community and Social Services;
- Ministry of Treasury and Economics;
- Office for Senior Citizens' Affairs;
- Ministry of Northern Development and Mines, votes 2901 and 2903 only.

SUPPLY ACT, 1991

LOI DE CRÉDITS DE 1991

Mr Laughren moved first reading of Bill 119, An Act to authorize the payment of certain amounts for the Public Service for the fiscal year ending on 31 March 1991.

M. Laughren propose la première lecture du projet de loi 119, Loi autorisant le paiement de certaines sommes destinées à la fonction publique pour l'exercice se terminant le 31 mars 1991.

Motion agreed to.

La motion est adoptée.

Mr Laughren moved second reading of Bill 119, An Act to authorize the payment of certain amounts for the Public Service for the fiscal year ending on 31st March 1991.

M. Laughren propose la deuxième lecture du projet de loi 119, Loi autorisant le paiement de certaines sommes

destinées à la fonction publique pour l'exercice se terminant le 31 mars 1991.

Mr Conway: I would like to participate in the second reading debate of this particular item, consistent with what I call the Laughren precedent.

Hon Mr Laughren: Oh, that hurts.

Hon Miss Martel: Sixty seconds, Sean.

Mr Conway: No, I repeat, for the benefit of my friend the member for Sudbury East, consistent with the Laughren precedent. If the member for Sudbury East does not remember, I do, and I do not mean to be dilatory today, but I do want to talk about some of the issues that any supply, of course, speaks—

Mr Bradley: Go ahead and be dilatory. The dilatories are next.

Mr Conway: No, I am not into that game any more. Maybe I once was. I think I probably once was, 10, 12, 14 years ago, but I do not see it—

Hon Mr Laughren: Less than that.

Mr Conway: Less than that? Seven or eight years ago.

Mr Bradley: Back when you were 15.

Mr Conway: Back when I was 15, my friend says.

Hon Mr Laughren: Right after he was elected.

Mr Conway: I can hear my friend the member for St Catharines actually mustering enough nerve to raise the pay bill. I will not get into that business, because I know my friends opposite know my views on that subject, as does my friend the member for Sudbury East and the member for Nickel Belt.

I want to talk about the supply bill in relation to certain of the economic questions that face the Treasurer and the province. Some of this I have said before, but I must say, in recent days, I have had the opportunity, particularly at the local level, to meet with a number of manufacturers in my county and I am increasingly concerned about the situation in which the province finds itself. Let me say at the outset, and I think I have said this before, I have a great deal of sympathy for my friends opposite who now occupy the Treasury bench. There are more than a few days when I am glad it is my friend the member for Nickel Belt and not myself, because it is not easy. I am sure his colleagues would privately, if not publicly, agree with that observation. The recession continues. The suggestions are made by some that we are about to pull out of the worst of it, and I hope we have. I am actually hearing at home from some in the retail sector that there are some signs, with new car sales, for example, that the bottoming out has ended and that there may be some blue sky ahead. I really hope that is true.

What I really wanted to talk about today, though, is the business and investment climate in which we now find ourselves. I would have to think that the number one priority for all of us in the assembly is job creation, employment, the protection of jobs that have developed over the decades in Ontario, a recognition that a very considerable transition is occurring in very substantial portions of the

Ontario economy, and therefore a need for a good adjustment policy is clearly before us.

I will tell the Treasurer what I know he has heard from other people, and that is simply this: there are growing signs abroad in the land that some of the actions being contemplated by the new government are having a deleterious effect on the investment climate, the climate in which hopefully new jobs are going to be created across the province.

Let me say as well that he has taken a shellacking, as they would say in Renfrew, over the budgetary course he has pursued. I say to some of my friends who are not New Democrats that they should not be—

Mr Klopp: All your friends are New Democrats.

Mr Conway: There are some things I do not regret about not being in government. One of them is dealing with my friends who are New Democrats in a way that I think my friend the member for Nickel Belt can understand as I took the call the other night from my friend Ross Hall. Would the Treasurer do me a favour and tell our mutual friend McClellan that he would be wise to understand the sensitivities there? I am sure he will get the point, because as I said to Ross Hall, "Ross McClellan is younger than you are and I am younger than both of you, so I do not, in five or six or 10 years' time, want to carry this burden any further than is necessary." I have already relayed one of the messages in the Treasurer's hand. It certainly helped a bit.

At any rate, I say to my friend the Treasurer that I am not one of those who takes the view that any government ought to or could have balanced the budget in this particular climate. Someone has written, and I think perhaps the Treasurer has said, that if one took just the 1983 budgetary plan that Frank Miller offered, we would be looking at a \$6-billion to \$7-billion deficit this year. I am not making any bones of the fact that I do not think it would have been wise or possible to have balanced or nearly balanced the books for fiscal 1991-92. I will say that as part of a government that was fairly generous with expenditure plans, I bear some measure of that responsibility and I accept it quite readily.

What I do say to my friend opposite is that the plan for the next three years beyond this fiscal year is what is causing the concern, the \$34.8 billion worth of accrued deficit within the first four years of the New Democratic administration, of whatever duration we can now only speculate, but it is clearly going to be not less than five years. To contemplate a deficit that will roughly double the provincial deficit, that is, the deficit that has accrued over 125 years, to double that within four years is no mean feat. I think Keynesianism has certain appeal, but whether it has that much resilience is not yet clear.

There is no question that the degree of tolerance that the new government has shown in respect of deficit financing has raised some alarm bells, many of them in quarters where there are not a great number of New Democrats normally or naturally found, but that I do not believe diminishes the merit of that argument. The question then, of course, is to what degree we can contemplate deficits. I

certainly am one who is concerned about the \$35-billion total over those four years. As I have said on earlier occasions, that figure can be achieved only if one accepts some fairly generous assumptions about growth, about tax increases and presumably about the actions of the federal government. I hope the most optimistic forecasts are the order of the day.

When we look at, and certainly in my role as a local member when I hear from constituents on, the key question today, which is the financial management and the employment question, the deficit is very quickly cited. I have to point out that just last week the Minister of Education made some announcements in my part of the province that have been very well received. That too, of course, is part of the plan and must be understood as such. But the deficit in that order of magnitude has certainly created a very high level of concern with the people in my constituency, who are in the business of either making or trying to attract investment to create new wealth, to create new jobs or to sustain the jobs that are there.

Second, and here I must skate very carefully because I do not want to excite any particular ideological passion on the other side, for I am one who fully accepts how a social democrat will view the world rather differently than perhaps a Nixon-Peterson Liberal or a Robarts-Davis Tory—

Mr Sutherland: What is the difference?

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Mr Conway: My friends opposite observe, what are the differences? In a province where there have not been marked ideological variations among the main political parties, I think it is not an inappropriate observation. But I think it is interesting, as people now look at some of the key indicators, particularly in the discussion of and in the area of wealth creation, that there are differences. To their credit, the New Democrats are quite prepared to go about a different course, not just in budgetary policy, not just in terms of tolerance for gargantuan deficits relative to anything we have seen beforehand in this province, but also when one looks at the key question of labour-management relationships, something that is of growing interest in the community outside Queen's Park, I think there is an understanding that the new government has a different perspective, and I respect that absolutely.

In some ways, whether it be in Yorkview or in Huron or in Elgin or in Frontenac-Addington or in Renfrew North, I think we all have to understand that this relationship is, at the very least, an evolutionary one. What was acceptable in the 1960s is of course not necessarily going to be acceptable in the 1990s.

I must say that when I hear some of what I am hearing about some of the new initiatives the new government has either introduced or is apparently contemplating around alterations in that labour-management relationship, I am honour-bound to say to my friend the Treasurer that there are investors out there who are increasingly concerned about what this will do to the balance between those two key partners, labour and management, and what it will do in terms of the overall climate.

Some will say: "Well, to hell with them. If they can't read the signals, if they can't live with the new realities, then let them go elsewhere." Of course, in the day and age of the 1990s, people are doing that in spades, not just in this economy but across the globe. The mobility of capital and technology is absolutely dramatic. I could not have imagined some of what I heard, for example, the other morning when our task force was in the peninsula hearing from people who are in what I would call light manufacturing about job losses from that part of the province to the Mexican corridor, about which I know nothing. I was very struck that there was as much mobility as apparently those people in the business community are reporting.

When I read, as I did the other day, a profile of job losses in the Canadian steel industry, an industry that we were heralding just a few years ago in this place because of its efficiency, because of its competitiveness, I find it absolutely mind-boggling that we could have lost something like 10,000 or 15,000 jobs within a very short period of time. I know people in the labour movement are certainly concerned and not at all happy about that and are working very vigorously to arrest the trend.

Those jobs, apparently, are going, and thousands have gone. What it must be like, for example, to be sitting in on those negotiations at Algoma Steel, I cannot imagine. Again, I am glad I am not there. I say to my friends opposite, as I meet in an area of traditionally very high unemployment, which is my constituency, when we read now that communities like Windsor and the peninsula and parts of resource-rich far northern Ontario are experiencing unemployment rates of 15% and 20%, some of my constituents say: "Well, welcome to our world. That's all we've ever known." But that does not change the reality for people living in either Sault Ste Marie or in Kapuskasing or in Pembroke.

When I have, in the space of one week, representatives two of the largest private sector manufacturers come to me and say: "Listen, we together employ 600 or 700 people in this area, traditionally high in unemployment. If you people don't understand what the cumulative effect of these actions are"—and to be perfectly fair, they point the finger at me for some of the actions that our government undertook or initiated a couple of years ago.

In both cases, they said: "You know, it wasn't anything singly, but it's the cumulative effect. We understand what you're trying to do, but does the Minister of the Environment not understand what the Minister of Revenue"—and all members have heard this. I do not want to take members' time, but in both cases these are Canadian-based operations with facilities in the United States. They do not want to leave and they are not even threatening a pullout, but they are saying there is a question of competitiveness and that if governments are not sensitive to the total burden, that may tip the competitive advantage in favour of not just the Americans but the Belgians, the Malaysians, the Mexicans. Then that is going to have, they say, a real and immediate effect on 600 or 700 people I represent who have jobs that are, in relative terms, paying some not unattractive rates of wage.

I also represent a community where we have a very significant federal government payroll and our private sector is, as a result, perhaps not as significant or as dynamic as it might be in Nickel Belt or in Huron or in Oxford. But operating on the assumption that we cannot all work for government, as some of us have sort of since the day we left university, we have to be concerned about the health—

Hon Mr Laughren: It's good to have something to fall back on, isn't it.

Mr Conway: Well, thanks to some of my friends over there, I have some repayments to make, I suppose, in that connection. But we do have to be concerned about the health of our private sector, and I say to my friends opposite that as they contemplate the changes they want to make on the labour-management equation, I hope they will very seriously think about the signals we will send, not just to the domestic community but to the community beyond, just as I say to my friend opposite, the Treasurer, when one realizes how dependent we are for offshore capital just to fuel the government spending, both locally and nationally, one must understand the difficult position in which any Treasurer finds himself or herself as he or she goes to New York or Frankfurt or wherever.

These are important issues. They are not just academic diversions. These are matters of bread and butter. My constituents more and more talk to me about their jobs, about what they need to do to maintain those jobs, about what they want governments to do to assist in the creation of new wealth and new employment.

That then leads me to another question in this regard, and here I might be a little more political than in either of those previous observations, and that is the announcement today from the member for Peterborough, the new Minister of Energy, relating to the Power Corporation Act. Again, I have no great speech to make about the right of the new government to make changes in a critically important relationship between the government of Ontario and the Hydro board. I will even go so far as to say that I was surprised at some of the actions the so-called rump board undertook with respect to the appointment of a president. Irrespective of what the Power Corporation Act says, good practice would suggest that what one would call a close consultation might have been expected between the corner office and the Hydro board with respect to the choice of the number two person at Hydro. I hear that there is no little bit of upset, as I can understand, at both levels, quite frankly.

My point in this, however, is that we voted, as members may have noticed, against the introduction of the amendments, something that I am not very proud of at a parliamentary level, but on policy ground, I want to be as far away from this initiative as my happy little legs will carry me.

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I repeat, I do not dispute the right of the government to do this. I say as well that we have been there before. In an aside earlier today, I said to my friend the Treasurer, "I never thought in 16 years that shortly after the election of the first social democratic government in Ontario, on

matters of Hydro and patronage we would in some ways be going back to the great days of Howard Ferguson." They have done that, and I am going to talk a little bit about patronage in a moment, because it is just a bit of fun.

What they have done is essentially—and I know, because I used to give it to Elie, that wonderful book by H. V. Nelles called *The Politics of Development*. I think perhaps my friend the Treasurer has read it. Reading those wonderful tales of particularly the Hearst government and the Ferguson government and the Whitney government as well, Hydro was a direct emanation of the government, and the nightmares and the misery. I think it was Hearst who just pulled his hair out and said he could take no more as Premier of the blackmail—his word, not mine—that the sainted Adam Beck was offering the poor beleaguered government of Ontario. My grandfather, who was here in the days of Howard Ferguson and Mitchell Hepburn, talked about the politicization of Hydro by both Liberal and Tory governments.

Why anybody in 1991 would ever want to get as involved in Ontario Hydro as the new government does is beyond me. As a partisan, I hope they get so deeply buried in this that I will not even see their greying mane, and I suspect after about six months or 16 months that is precisely where they will be.

Hon Mr Laughren: Why?

Mr Conway: My friend opposite says, "Why?" He was elected in 1971. Many of the new members will not remember that shortly upon the resumption of Parliament after the 1971 election, the new era with William Davis, this Legislature was seized of one of the great debates of the 1970s, and it was "poor Bill Davis" and Gerhard Moog and the great scandal around the Hydro building.

Hon Mr Laughren: What has that got to do with this?

Mr Conway: What has it to do with this? Very simply this: The Power Corporation Act, 1974, which act the government wants to substantially change—its right entirely—was a direct emanation of the entanglement in which poor Willy Davis found himself with Gerhard Moog and all his works. If the members go back and look at those debates, and I would have thought the late Jim Renwick, who served so splendidly on that committee—if Jim Renwick were here today, I wonder what he would think now times have changed. I just say to my friends the members opposite: For the government of the New Democratic Party to turn back the clock to about 1969 or 1971, and to simply put to rest the principle of the Power Corporation Act, as it is is doing, in my view, with this—

Mr Bradley: Jim Renwick wouldn't let them pass this.

Mr Conway: Well, he might, because times change, but I simply say at two levels this initiative causes me concern.

Mr Bradley: What happened to Ish? That's what I want to know.

Mr Conway: That is not a fair comment, I say to my friend, just not a fair comment. I will talk about something in relation to that in a moment.

I say that for the new government to go back to the relationship of the 1920s, 1930s, 1940s, 1950s and 1960s, where Les Frost and Bob Saunders, where Bill Davis and Gerhard Moog, where those people were just altogether too close together for their own comfort, at a time when there was not nearly the focus or the scrutiny, is beyond me. Someone, I think it was the Leader of the Opposition, said earlier today: "Mark this day, 5 June 1991, because this will be a day to remember. It will not be obvious for probably two or three years"—

Hon Mr Laughren: Why is it so dramatic?

Mr Conway: No, I say to my friends opposite, it has nothing to do with the dramatics.

Hon Mr Laughren: We will see.

Mr Conway: My friend is right, we will see, but if one has any experience with this part of the resource sector in Ontario government and politics, one is mindful of some of the identified sand traps. It is not clear to me why the ladies and gentlemen opposite wish to return to this, but as I say, I am—

Interjection.

Mr Conway: I certainly want to tell my friend we made some changes in 1987 or 1988, whenever that was, but I do not want to get into a debate about that. The government has the right to do it.

I am concerned on two levels. First, it is absolutely clear from what the minister says that this government wants a far greater say in the direction and the operations of Ontario Hydro. They have the right absolutely to do that. I think it is a dangerous course of action that in many respects has been tried before and has led to more difficulty than benefit, but of course, what goes around must apparently come around as well.

Second, in terms of the business climate, one of the key questions in this province has always been about the availability and the price of energy, and the Treasurer knows that. I must say that if I were a business person and I were looking at this against the backdrop of the budgetary policy, against the backdrop of the labour-management changes that are being contemplated, I would look at this and this is another extremely important ingredient that would give me great cause on two levels: first of all, the very obvious politicization of Hydro; second—

Interjection.

Mr Conway: I say to my friends opposite that there certainly always was a measure of politics, no question about that. We are talking here about the nature of the relationship. The government has made a choice. I do not fault them for it, they have a right to do this. I am just making some observations about what has happened in the past, how it was we came to get the Power Corporation Act of 1974.

Those people are different. The times are different. They may be able to avoid all of those joyous things that nearly sent Bill Davis to the canvas in 1973, that caused just about every Premier I can think of of any duration

more headaches than I think any Premier has time for. At any rate, if they want to do it, go ahead and do it, but there is the politicization of Ontario Hydro, to a greater degree than I think we have seen in the recent past.

Mr Bradley: More New Democrats on the board now. Patronage persists.

Mr Conway: I am going to come to that in a moment, I say to my friend from St Catharines, but I would like to just say two other things about this.

One is that the policy the government seems to have invested itself with totally is on the demand management side. If I am a resource investor in northern or eastern Ontario and I am looking at this and I go to the Hydro office and say, "What kind of supply can you offer for the new mill," or whatever, unless it has changed—the recession has been the best conservation strategy one could have hoped for. I am not happy about that, but boy, if you want a good conservation strategy, you hope for the kind of recession we have had in the last year. It has kicked the skids from underneath the demand that roared through the period 1984 to 1989. It has been at one level an unexpected blessing, at least on the energy account.

But I am looking at this, and what do I see the minister saying? She is saying, "We're going to meet the future demand by conservation on the one side, significant conservation."

Interjection.

Mr Conway: That is of course a very good question. My friends from northern Ontario who have been here for a while will remember the day that the skies opened and a deluge fell down upon us all over the question of time-of-use rates. I will never forget it. Real conservation, big league conservation, which at a certain level I support—I am a single person. I have a very idiosyncratic lifestyle. I eat at off hours, I do all kinds of domestic chores off hours.

1700

Hon Mr Laughren: I've heard about your place.

Mr Conway: I am not advertising at all.

I say to my friends opposite that if they are talking about conservation in a significant way, and they may want to do this, they are talking about rigorous time-of-use rates, like big time. That is shifting particularly the residential demand around in a noticeable way, in a big league way.

For me, I would be very happy, because the members opposite are going to give me a benefit. But for my constituents who are married with children and where both spouses are working, oh boy, I cannot wait for the meeting in Binbrook to discuss that. Oh, I tell members, in Embro they will be interested. Conservation at that level takes on a feel that is substantially different than the rhetoric.

I look to this and say, "What is the energy policy of the government?" It is conservation. Fair ball, no problem. How is the government going to achieve some of these targets? Given some of the growth rates that the Treasurer is talking about—and I hope he is right; I hope he has even understated it; I pray he does—if he gets those growth rates with the kind of installed capacity we now have, we are going to see some energy crunches around here that we

have not seen, perhaps, ever before. Maybe we have to experience that.

But again I am thinking from the point of view of investment, attracting investment for new job creation or the sustaining of what we have had. My friends opposite will know that, for good or for ill, one of the best cards Ontario has had is reliable and relatively well priced electrical energy.

Mr Klopp: We have got to pay for Darlington.

Mr Conway: Listen, I have been more critical of Darlington than this government could ever be, but now it is charged with the responsibility of office. In downtown Hensall they will expect the lights to be maintained. That foundry in Wingham was told in our time: "I'm sorry, there is not enough juice. You are going to have to tool down for a while." I do not think the word ever got out, and I was really glad it did not.

Mr Hope: They are still out now.

Mr Conway: Well, I know they are out, but I think for other reasons. But there was an industrial plant in the time we were in office, as I recall, that was either put on notice or actually told that its power supply was going to have to be reduced.

My point is that we have never experienced that, by and large, in this province. I live on the Quebec border. It has been a reality in west Quebec for as long as I can remember: power that is interrupted, power that is not as strong as residential consumers would like. That is not a great part of the Ontario experience that I have had in 25 years.

I have no problem with conservation, I say to my friends opposite, but if they are going to do what my honourable friend the member for Peterborough says, on the basis of the growth assumptions made in the budget—and I hope they are right—the meanest, toughest character over there is going to have to be the Minister of Energy, because that person is going to have to do some things that are not going to be very popular. They are probably going to be virtuous and may even be right, but I tell members that they are not going to be popular, and time-of-use rates just come to my mind as one little example.

Mr Sutherland: Good leadership.

Mr Conway: Exactly, absolutely, and that is why the member gets paid the extra money. Listen, I am not quarrelling about any of that. But I look at this statement today. I see a marked change in the Hydro-government relationship. I see—

Mr Klopp: Marc Eliesen—

Mr Conway: Marc Eliesen, my friend, we appointed, so we bear some responsibility. By all accounts—

Hon Mr Laughren: I wouldn't say you did it.

Mr Conway: I am not saying we regret it. It was once said of imperial Britain that she had no permanent enemies and no permanent friends, just permanent interests. I think of that when I think of Marc Eliesen. I tell you, a big league technocrat is Marc Eliesen, and I am sure that he will genuflect to the supplications of the honourable member for Huron. I am sure that he will want to be as convivial

and as consensual and as consultative as a big league technocrat wants to naturally be.

But I make the point again: In this policy this government is basically telling the business community that we are going to change the way Hydro does business. We are going to look to the 1990s and beyond with the following offering: a moratorium on nuclear power.

That is big news in my county, and I am not very objective on this subject and I have to put my prejudice on the table. The second largest employer is the Chalk River nuclear laboratory. They look to this moratorium and they shudder, because obviously they have a real and vested interest.

Hon Mr Laughren: You know it was the right thing to do.

Mr Conway: I do not agree that it was the right thing to do, but I respect the government's right to do it. I just simply say, what does this policy say? A moratorium on any new nuclear, a big campaign on conservation which has got built into it—that is a real Trojan horse, my friends, and when the little surprises and the big surprises start to fall out of that, as they will, we will be back here talking about it with a greater degree of particular interest.

Mr Bradley: What will Michael Cassidy say?

Mr Conway: Michael Cassidy is an economist and I think he will bring a real insight to that board.

The best part about the strategy is, where is the new generation coming from? As best as I can understand it, we are going to get that by burning gas to create electricity. The next time I am in Alberta I want to have some conversations out there, because I think the Albertans are going to be really interested in that policy. I would be very surprised if the Alberta government is going to be neutral on that subject.

Just so that I put my cards on the table, that appears to be the way in which the government is going to meet, in the intermediate term, substantial portions of the new growth, by burning natural gas, a hydrocarbon, to create electricity, and co-generation as well.

I hope, by the way, that there is some co-generation. I was delighted to see that the Ministry of the Environment released a report the other day essentially saying that there were more possibilities. I say to my friend opposite that in my county there are things we can do with using the wood waste and sawmill residues to generate electricity, more, quite frankly, as a forest initiative than as an energy initiative, although the latter is a very important part of that policy.

I agree with my friend the member for Oxford; I really do hope we see more co-generation. In my area that is 15 or 20 megawatts; maybe it is 50. We will maybe get a couple of hundred—maybe we will get a couple of thousand megawatts. I do not ever expect to see another hydraulic plant in my lifetime. If this government has its way, apparently we will never see another nuclear plant.

Forget the new demand. Within the next 10 or 15 years we are going to have to start replacing a lot of the capacity that is now 25, 30 or 35 years of age, so we are going to need thousands of megawatts just to stand still. Apparently,

outside of co-generation and big league conservation, we are going to get this by burning western natural gas to create electricity. As I say, if the Albertans are neutral on that Ontario policy, I will be surprised. I hope I am going to be surprised.

I am just simply saying, then, what does it say to me as an investor? I am looking at this energy policy and I am going to say that it is right up there with the budgetary policy. I hope my friend opposite is right, I would say, but if he is wrong—One is reminded of the Mitterrand government in the first couple of years, coming in in France after the Valéry Giscard d'Estaing right-wing conservatives, and I must tell you, Mitterrand was a big league doctrinaire socialist for the first 18 or 24 months. He did not mix any water with his wine, and he was prepared to run the deficit; he was prepared to do a whole series of things. At the midpoint of his first term, one could hear the tails of his frock-coat snap as he made a 180-degree turn.

Now, of course, we have Mitterrand the pragmatist, and I understand the nature of the pragmatism. He has to run a government. He has to meet the community expectation. Mitterrand's deficits in 1989-90 bear not very much resemblance to what he was offering in 1983-84, in part because the assumptions of those initial budgetary outlays were shown to be completely unrealistic.

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So I am an investor wanting to invest in Shining Tree or in Chapleau or in Espanola or in Renfrew or in Eganville. I look to this budgetary policy, I look to the labour-management policy, I look to the energy policy, and what do I see? I see a great deal of uncertainty, a great change in some of the balance and, quite frankly, more hope than even the people of Chatham-Kent were forced to confront in the last election.

I say to my friend the Treasurer that he cannot build or maintain a dynamic, modern, industrial economy on prayers and hope alone. I think he must be more realistic. He must understand what it is that creates wealth. He must understand, as I know my friend the Treasurer does, that it is not just the United States, but it is all of the emerging and all of the traditional players who are competing for much of the same business.

All of us expect that the social programs that make this province so distinctive, relative to a lot of those other people, can and ought to be maintained, but they are only going to be maintained if we continue, by whatever means, to create new levels of wealth that will replace some of the old wealth that is presumably going to fade away. But none of us can be misled to believe that by dint of legislative action we ourselves are going to create this wealth. We can certainly create conditions that will destabilize and destroy a wealth-creating environment.

Hon Mr Laughren: Or reinforce it.

Mr Conway: Absolutely.

Hon Mr Laughren: Well, that is what we are doing.

Mr Conway: That is not the appearance and it is not the feel of some of what he is doing. I do not intend to impute motives, and I do not expect it to be done—

Hon Mr Laughren: I will withdraw.

Mr Conway: He does not have to withdraw.

They are smart people. They have to understand. It was good to see the Minister of Labour get up today and acknowledge that what the members from Mississauga—

Interjection.

Mr Conway: I am not into that kind of politics.

Interjections.

The Acting Speaker (Mrs Haslam): Order, please.

Mr Conway: I say to my friend the Treasurer, as the members for Wilson Heights and St Catharines were quizzing him today about the gas guzzler tax, that he is a smaller and a bigger man than John White. Remember John White's famous budget, to put another sweater on? Poor old John, largely because the government caucus said, "John, this isn't going down very well in Lambton and a few other places," John White withdrew a budgetary initiative. Who can forget the retreat of Allan J. MacEachen in the face of—

Hon Mr Laughren: Darcy McKeough.

Mr Conway: And Darcy McKeough. That was a minority government, and having played a role in that little policy, not to brag, but—

Hon Mr Laughren: But what?

Mr Conway: Just to digress, I say to my friend the Treasurer, I remember the day in March 1978 walking into the leader's office with this strategy as the way to avoid getting near to an election. That was the basis on which I made the offer and two months later we were sitting on the precipice of an election. Fortunately, Bill Davis and not Darcy McKeough decided which way we would turn, as Peter Raymond's wonderful film *The Art of the Possible* made plain, which dealt with that famous budget crisis. My point is simply that other treasurers, MacEachen and—

Mr Bradley: Walter Gordon.

Mr Conway: I am thinking of people who were in majority governments. Allan MacEachen and John White were both treasurers in majority governments and they changed budgetary initiatives, in both cases I think in large measure because the government caucus just said it could take the heat no longer.

Hon Mr Laughren: That was in 1977.

Mr Conway: In 1978.

Mr Sutherland: There was no election in 1978.

Mr Conway: That is right, but we still had a minority Parliament in 1978.

The Acting Speaker: Members are reminded to address your remarks through the Chair and not across the House, please.

Mr Conway: The budget crisis came in the spring of 1978 after Michael Cassidy was elected leader and we had this OHIP problem.

I want to say about the Hydro policy, the energy policy, that it is certainly going to add to the concern. I think it is going to destabilize the investment environment unnecessarily. My friends opposite will not necessarily agree, but I am hearing from people who are not wild-eyed right-wingers

that they are increasingly concerned about the new government's idea of wealth creation.

I know my friends opposite have heard, as I said to some of them last week, that just reading the Oxford county press reminded me that I was right in that observation.

Mr Bradley: But what about Ish?

Mr Conway: I guess I have to say something about this. Here again, I think that the new government's first appointment in my county, the NDP's candidate, is no great surprise. I do not fault them for that. And I was glad to see Michael Cassidy get an appointment, because I was pained on that day in November of last year when there they were—there was the pantheon of social democracy, at least in Ontario over the last 40 or 50 years, complete with Ted Jolliffe, who I was delighted to see here. I saw Donald MacDonald, I saw the Lewis entourage and I saw Ted Jolliffe. I looked all about me and I saw the labour major-domos. I kept looking. I thought, "Is somebody missing?"

Mr Bradley: It wasn't Ian Deans.

Mr Conway: Actually, Ian was not here.

But I want to say to my friend the Treasurer and to the member for St Catharines, as I looked at all the crowd before me I could not see the former member from Ottawa, but then I looked into the bleachers, and way up in the bleachers in a far corner, gowned in tweed and leather patch, was the former member for Ottawa and the Islands.

I thought: How cruel is this blood sport of politics? How brutal can it be? How incredibly insensitive and cruel can it be? I asked my friend Ross Hall the other day, "Why do you think they would remember?" But to see Michael Morris Cassidy, MBA, up in that corner looking down from the bleachers, I just was pained, because how quickly they forget. Of course, to see Michael Cassidy on the Hydro board makes me feel good because he was a party leader who went through tough times.

He is not the only New Democrat I am pleased for. I see Richard Johnston is the new chair of the Council of Regents, and by my reckoning, he is probably earning about \$110,000 at that job. When you add \$25,000 worth of legislative pension, he is at least \$130,000. Richard Johnston, wonderful fellow, a real ornament to this Legislature over the years. If I am right, and I think I am, I thought of two things: At \$130,000-plus, he is a long way from the welfare diet that made him famous here 10 years ago.

Then I thought, is it not interesting, because Richard Johnston was the guy in 1981-82 who took on the member for York South in the famous leadership race. Actually, Richard Johnston said some interesting and rather critical things about the member for York South. I remember those comments, because he said, basically: "We need a true socialist as leader of this party. We don't need some kind of milquetoast Liberal. We need a true socialist, and I am that person." He and Jim Renwick went from the union halls of Riverdale to the snowbanks of Huron county, and he lost.

But the great paradox of the blood sport of politics is that in losing he won, because 10 years later he is earning about \$35,000 more than the Premier himself.

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Hon Mr Laughren: Is it all money to you, Sean?

Mr Conway: Not at all. I am just talking about the supply of money to feed the appetite of the new government. I see Odoardo Di Santo, a good friend of mine, brought to the high office in which he is now found.

Unlike some of the caterwauling oppositionists, I do not blame the new government for doing what I have always expected New Democrats would do when they got the keys of office. They are so quickly and completely in the trough that you can just see the faint outline of the tail. I will observe, but I will not complain because I say to my friends in the community, what did you expect?

Hon Mr Laughren: What did you do when you were in power? What did the Liberals do?

Mr Conway: My friend opposite says he expected something else. I did not.

I will judge my conduct as part of that government with the first eight or nine months of the new government any day, any place. Boy, did we make some mistakes—

Hon Mr Laughren: On appointments?

Mr Conway: On appointments. I only say this to some of the new people, and it is not fair to expect them to understand some of what went on before they got here. My own experience in this was rather different from perhaps that of other people because there are things I miss about not being in government, to be sure, but I have to say there are some things I do not miss.

On the very top of the list of the things I do not miss was what I thought to be an endless list of supplicants whom I will not embarrass by mentioning by name. But as of 7 September, I was a free man again and I am glad my constituents can see what they see and read what they read.

Hon Mr Wildman: How profound.

Mr Conway: Well, on the question of government appointments, they look and they see some fascinating things and I tell them: "Settle down. You're the people who thought this gang—these are the new masters of Tammany Hall." The poor old Liberals and Tories are the kinds of people who sort of apply for the government grants. You have to understand the New Democrats. They not only apply for them, but these are the people who write the proposals.

The deafness, the delicacy, the completeness of the NDP patronage system is breathtaking. I feel like Lyndon Johnson dealing with the Vietcong. Where are they? They are everywhere. God, do they not understand the Marquis of Queensberry? These people will not come into an open field. They are everywhere in these hills. They are in the bush, they are in the swamp, they are sub-marine, they are subterranean, you name it. There is no end. They are shameless and that is part of their charm. They are utterly without shame or without contrition.

Mr Bradley: I thought they were going to be different.

Mr Conway: The member for St Catharines, of all people, how could you be so naïve?

I do not fault the government opposite, although I say to my friends opposite that there are some indications of worrisome developments. I was really struck. A friend of mine said to me a couple of weeks ago, "You should have been there. You ought to have been there, at Glendon College about six weeks ago." Apparently the Ontario taxpayer paid for it either through the Cabinet Office or the Management Board office for a session.

I would love to have been there. I understand the now Minister of Health and the now Chairman of Management Board was there. This was a workshop sponsored by the Cabinet Office and the Management Board of the province, at Glendon College on 18 to 20 April, and organized by the political science department at York University. That wonderful Leo Panitch, a colleague of Neil Brooks, these people will not even know who these guys are. It will not be the back bench that does the government in. It will be the Neil Brooks's and the Leo Panitchs at a certain level.

Am I happy about this? I am ecstatic about this, because apparently at a cost of several thousands of dollars a bunch of the loony left, the Bennites, the Militant Tendency from London, were brought over to Glendon College to explain to these poor folks from the Cabinet Office and from the Management Board how to democratize the process of policymaking in the modern environment. What was wrong with that?

Mr Bradley: That would be a good order paper question.

Mr Conway: I am going to put an Orders and Notices question. I want to see just—

Hon Mr Laughren: So you don't like Leo.

Mr Conway: It has nothing to do with Leo.

Hon Mr Laughren: So you are not a Leoite.

Mr Conway: I am not a Leoite, but I have some sympathy for Neil Kinnock, and Kinnock stands now on the brink of 10 Downing Street. If he is there, it is because after about seven or eight painful years he has rid himself of the Barnacle Bennites. The poor taxpayers of Downsview, Denbigh and Cornwall are now paying thousands of dollars to bring the loony left from London, England, to acquaint these public servants—

Hon Mr Laughren: How did you get on this.

Mr Conway: They are bureaucrats. This is supply. We are voting supply and we spent thousands of dollars, apparently, to bring the Bennite fringe, the Militant Tendency, for two days to socialize and acclimatize the good men and women in Cabinet Office, many of whom I know, and I can just—

Mr Hope: Ah ha.

Mr Conway: Because we inherited those people and they served us very well. Some people came. For example, Tom Coleman was there when I was there. Tom Coleman was Stephen Lewis's press secretary. The first cabinet meeting I went to, Tom Coleman was there, and he served the government of which I was a part in an absolutely exemplary fashion. I have nothing but the highest regard for those people. I think Tom was hired by Alan Pope as press secretary of Natural Resources after Stephen left. My

point is that I know those people, or many of them. All I can imagine is them sitting there with Leo Panitch and the Bennite fringe and being inculcated in the new ways of public policy. What do members think they think of that in downtown Bismarck or Shining Tree? I think they would be very surprised. I think they would see that as an overtly partisan act that properly belongs at the caucus office or at the annual meeting, closed as it is to the general public.

Hon Mr Laughren: At Shining Tree they had a tail-gate party.

Mr Conway: Did they? All right. I am going to put an order paper question. I almost wanted to call Gerry McAuliffe. I thought, God, when Gerry is finished with Bernard Ostry, he has to meet Tony Benn's ambassadorial friends. This will certainly blow the caffeine out of every middle-class cup all across Ontario. But apparently we spent a lot of money, and do members know what? Apparently this is not unusual, and the partisan in me says: "Oh, God. Don't even say anything. Just quietly, hopefully, prayerfully encourage them to do this and much more of this."

Hon Mr Laughren: You didn't hold conferences by the radical middle.

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Mr Conway: He is talking to people who were quite vigorously bounced from office. We know the feeling. As I say, the partisan in me says, "Why would I even raise a scintilla of interest in this?" I just hope old Leo and the militant tendency are in there working overtime, because that will give us an opportunity at a certain level we do not even deserve.

But I say to my friends opposite that these are the kinds of things I think really give pause to those of us who are asked to vote supply. Today, for example, we had an interesting exchange between the Leader of the Opposition and the Minister of Education around a decision taken by the Ministry of Education.

Mr Bradley: Another tradition taken away.

Mr Conway: Again, my friend the member for St Catharines goes on about tradition. He is more of a traditionalist than I am.

What caught my eye about the Ontario scholarship program announcement was the bottom part of the press release. The minister on behalf of the government basically says: "Times are tough. People expect restraint. We have decided to make the tough choices and we are cutting out this \$2-million expenditure." I thought to myself: "Now isn't that interesting? This from a government that has just put \$484 million more into this year's account of the \$5-billion medical payout."

Hon Mr Laughren: Less than you were going to put in.

Mr Conway: What might have been, my friend. It is as Pierre Trudeau once said to Ed Broadbent, who endlessly engaged in these hypotheticals. I think Trudeau's line was, "My friend from Oshawa, if my grandmother had had wheels, I suppose she could have been a bus."

But what does that matter? If the minister wants to sit here and hypothesize endlessly, it is his right. Again, Stephen

Lewis comes back to me in these moments, because this wonderful chamber resonates with his eloquence. The word that was, is and will be for all time seared across the recesses of my brain, the ultimate Lewisism, is "chutzpah."

I say to my friend: Can he imagine Stephen Lewis having to stand here and comment on or defend a socialist government doling out \$500 million more to the best-paid professional union in the country and standing up days later and saying, "Restraint is the order of the day and we must take \$2 million from the high school students"—the high-achieving Ontario scholars none the less?

What kind of comment is that? Stephen Lewis would choke on the kind of perversion that these priorities speak to. It is unbelievable. There is an argument to change the Ontario scholarship program. God knows that as minister I heard about it every year, and for good or for ill, I resisted it. However, to offer this initiative as a restraint measure when the government has done what it has done to satisfy the appetite of the common front—August or September 1990—is positively breathtaking.

As I vote supply, I observe some things. There are losers in this economy at the present time: the people at Uniroyal who unfortunately, for whatever reason, are going to be out of work; the hundreds of people in the forest industry in my county who are out of work; the scores of people in the farm community who are seeing their incomes deteriorate as we speak; the thousands at Algoma Steel and Stelco whose jobs are disappearing. And thousands more are clearly suffering the pain, the real and deep and in too many cases permanent pain, of this recession. But there are winners.

Mr Hope: Have you felt it before? How can you talk about it if you haven't felt it?

Mr Conway: I say to my friend the member for Chatham-Kent, I have been very fortunate. I have had a job that has paid me a very attractive rate of income since the day I left Queen's University 16 years ago. Once every three or four years, I have had a job interview and I have been fortunate enough, for whatever good or bad reason, to have survived those six job interviews—five, actually, because the first election was not a renewal of contract. I have been very fortunate. Some NDP colleagues of some experience might privately observe, "Too fortunate." Thanks to the legacy of Elie Martel and Jim Breithaupt and others, I may never really suffer the pain that ought to be mine.

But I say to my friends opposite, there are winners in this economy. Oh, absolutely. The Ontario high school students are losers today, because the government has decided to draw a line in the sand, and the line of restraint is drawn as a graduation gift, in June 1991, to the graduating class of 1991. So restraint is going to be shouldered by the kids who are in high school. But the common front, oh, the common front. The doctors, the public servants, the Ontario Secondary School Teachers' Federation poll captains, to their credit, have apparently cashed in, in a significant and substantial way, the credits owed from the great campaign.

Mr White: How?

Mr Conway: To those people who ask how, I simply say we do not have \$2 million for the Ontario scholars, but we have \$500 million more for the doctors. We have got—

Hon Mr Wildman: I thought it was the OSSTF you were talking about. Now you are talking about doctors.

Mr Conway: Well, I say—

Interjections.

Mr Conway: Anybody who has—ah, there he is: the dyspeptic son of Mars, the member for wherever.

I say to my friends opposite that there are clear winners. Before the week is over, I think my friends opposite, whether they are going home to Maidstone township or Dover township or Downsview or Shining Tree, will have a better understanding of what some of this might mean, that arguing the case of restraint on the backs of high school graduates is not a winning formula. It would be interesting to note, for example, how much the Bennites cost in relative terms. I have gone on too long. I simply want to say that—

Mr Bradley: There's that Minister of Education now.

Mr Conway: I said earlier that I was very pleased with the Minister of Education's announcements in our area last week, and I give her credit for a number of the initiatives that she has undertaken. I am the last person, I suppose, to say that, because I have, in this sense, a complete and total conflict of interest. So my comments really do not count for very much. I have tried to discipline my not-always-disciplined tongue on those matters.

I simply say that there are a growing number of concerns about what the government is up to in terms of the investment climate, creating new wealth. I think most people certainly appreciate that social democrats are going to be better than most of the rest of us when it comes to addressing a number of the social concerns, whether it is in the area of—well, I will not enumerate the several that I could, but there has always been the question of how well socialists would deal with the economy.

I cited the Mitterrand example because there we have seen, over nine years, a very marked change in course. One remembers the experiences of the Blakeney government as it drew to a close. As I said on an earlier occasion this session, I heard on CBC Sunday Morning a few weeks ago Premier-elect Harcourt and Premier-elect Romanow, and I would take them home to the chamber of commerce before I would take some of my own colleagues home. They were suffused not only with Rotarian bonhomie, but with an incredible measure of good old right-wing common sense, get the trains running on time type of thing.

What people like Tommy Douglas and a couple of those radicals in the Barrett government must be thinking.

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Hon Mr Wildman: Tommy balanced the budget.

Mr Conway: Oh, listen, to hear Romanow was to really be reminded that there are some protest movements that are more becalmed than others. I say again, we expect the government is going to be tossed about on the stormy sea of circumstance. Who could be more impressed by members opposite than the members over here about the

contortions around the new Retail Business Holidays Act. To hear the member for Windsor-Riverside, the Minister of Municipal Affairs, defend the policy today is really something. I thought he was absolutely mind numbing, because as Jim Coyle in today's Ottawa Citizen rightly observed, the exemptions in this act are large enough to run a \$10-billion deficit through them.

Listen, I do not fault them for it, because they are not stupid people. They understand the realities my friend the Minister of Natural Resources understands, what Sault Ste Marie has to have. They should just sit there and think about these exemptions. You could qualify under so many criteria as to make it ridiculous.

I am waiting—and I think the member for Nipissing was much closer to the mark than I can hope to be on this subject—for a few months, maybe even a year or two, when the public hearings start and when there is a request for intervenor funding, and then when there is a request for judicial review. All the while, poor old Windsor, or poor old Chatham, or poor old Pembroke, or poor old Cornwall haemorrhages with a growing loss of retail, and I am not happy about that and I think there are some things we can and should be doing about this cross-border shopping.

But to hear the members opposite trying to defend this policy as something consistent with what they offered on the common pause day plank in the Agenda for People, do members know what that is like? That is like asking me to believe that the Premier's office did not know within seconds that the Deputy Attorney General had been advised by someone in the justice stream that some kind of contact had been made by the Solicitor General's office.

I was not there, but I have been watching the last month and there have been two developments, one here and one in Ottawa. I like the member for Cambridge. I think he is a good fellow. He has worked hard and I have some real sympathy for him in this unfortunate situation. But I have been quietly listening to the defence here, and then I go home at night and listen to the Al-Mashat case, and all I can say from five and a half years in government is that both defences, particularly the defences offered here and in Ottawa around what people in the Prime Minister's Office and the Cabinet Office knew and did not know, both of those rationales are, on the basis of my experience, so outrageously incredible as to be, quite frankly, an insult to my intelligence, although I think in Ottawa there has to be some kind of a security proviso that cannot be talked about, but that is not the way the system works.

I know the people, that staff, this Premier and this cabinet. They are good people. Some of them have long been friends of mine. They are very good people. They are bright, they are quick, they are well-connected.

Mr Hope: Are you looking for a public appointment?

Mr Conway: Absolutely not. No, because I understand the sensitivities, that people would say: "Well, those oppositionists are a priori negative. They are just incapable of being balanced or being anything but difficult."

Hon Mr Wildman: I would never suggest that you are unbalanced.

Mr Conway: I say to my friend the member for Algonoma that I have got a file about his days in another life and I have the lacerations to prove, some of them pretty bloody close to the belt line, I might add, about one in particular that he knows about in the last year, really close to the belt line. I am not even saying it is above the belt, but I have done the same, so I cannot accuse him of anything that I am not guilty of myself.

For me to be told that—I think it is Mary Hogan—the Deputy Attorney General knew for 10 days and that the Premier and/or Peter Barnes did not know. Absolutely implausible, incredible and, if I really think about it, an insult to my intelligence and the intelligence of this informed legislative community.

There is one rationale that I can think of but I would not accept, that there is—and this is essentially the one being offered in Ottawa. I am being asked to believe in Ottawa that somehow David Daubney, who I also know and greatly admire—he is a very good former member of Parliament and parliamentary assistant and a good lawyer, Joe Clark's chief of staff, and Arthur Kruger, the Deputy Minister of Immigration, one of the most polished and experienced public servants in the land. I am being asked to believe that these people are that stupid. I just will not believe it.

Ross McClellan may be a lot of things, and David Agnew may be a lot of things, but dumb and unconnected they are certainly not. So I do not know what kind of a defence the government wants to mount, but the one being offered here is right up there with the one being offered around the Al-Mashat case, has been incredible to the point of insulting my intelligence if no one else's. I make my observations on the experience that I had and I do not think it has changed a great deal in the intervening five, six or eight months.

We will see in the coming days how new initiatives unfold around the economic agenda, where I started my comments on supply. I say again that the government has undertaken some initiatives I think are quite praiseworthy and I feel they should be commended, whether it is in the area of controlling the out-of-province OHIP costs—it is not going to be as easy as the first press release indicated. Some of what they are doing in the area of, say, co-generation on the energy front is also very encouraging and I think has application in communities like my own and I would encourage them in that regard.

We have seen a number of initiatives that are really starting to tip the balance that is going to be absolutely critical if we are going to have wealth creation: the budgetary policy, particularly the four-year deficit of \$35 billion; the labour-management relationship, which appears to be losing quickly and substantially its balance; the energy policy, which appears to be losing its security and its balance.

We are going to see soon a program having to do with auto insurance, and I have to believe that too is going to be a signal for the business community, those people who invest in the province to create the wealth on which we depend, as legislators, for many and all of the programs we want to continue to offer.

In conclusion, I say to my friend the Treasurer that he has I believe the experience, the discipline and the toughness to, as best as can be hoped for in a world of social democrats, sometimes illuminated by the Militant Tendency, to hold these potentially destructive forces at bay—destructive in this critical sense, that if this package I have pointed to is of anything like the character I have imagined, it will very quickly destroy so much of the good work he wants to do by completely ruining the revenue side of his budgetary plan for the next four years, and will continue to create the impression that this is not a place in which to invest and it will in ways that, in some cases and perhaps in many that are unintended, accelerate the growing pattern of deindustrialization in this province. My friend the member for Scarborough-Agincourt has commented that in the last year alone we have lost something like 15% of our manufacturing base. We must be sensitive to that. We must not, as government or as party politicians, undertake, purposefully or inadvertently, measures that are going to drive investment and therefore jobs and employment prospects for the young, middle-aged and older people in this province out of Ontario and elsewhere. If that is the legacy of this kind of social democratic budgetary and related policy, then I suspect it will be a long time before my friends opposite are given the opportunity to return to the Treasury bench. I hope that is not so.

I say again that in the last 10 days I have been approached by thoughtful people in my community who are significant employers who are increasingly concerned about what they see happening, who are not unwilling to criticize the Peterson government for certain initiatives that they feel began the process, but see the new government as heading down the path of very serious concern that they say will cost real jobs today and many more jobs, employment opportunities and tax revenues in this decade and beyond.

1750

The Acting Speaker (Mr Villeneuve): Any questions or comments on the presentation of the member for Renfrew North? Seeing none, further participation in the debate, the member for Oakville South.

Mr Carr: I was hoping somebody would comment so I would not have to follow the previous member. It is going to be a bit of a letdown, I suspect, with guerrilla warfare and men from Mars and so on. The only good thing about its being close to 6 o'clock is that I think my kids are at home, so they will probably be able to watch the debate.

Hon Mr Laughren: They will be watching cartoons.

Mr Carr: Just before Polka Dot Door actually. Polka Dot Door they would turn on anyway, so my kids might get a chance to participate in watching me.

I think it is rather important to talk a little bit about the kids, now that I am on that topic, because I think unfortunately what we have, as we sit and now have our first budget of this government, is a deficit that probably will be going on for the children who are out there who may be watching. I am a little concerned because I decided to run and quite frankly get to spend time away from the kids,

because I was upset, I was angry, I was in fact—the man from Mars, there he is—a little bit discouraged with what was happening under the past government. The people in my riding obviously felt that way; that is why I was elected.

But as we sit here today, what we got with this deficit is something we never imagined would have happened in this province just a few short years ago. A \$10-billion deficit is what we are looking at here in this province—close to \$10 billion. What is a few hundred million among friends? We are almost at \$10 billion. When you look at it, you see that it took us 132 years to get to \$38 billion, and in four short years under the first socialist government in the history of this province, we will double it.

Some people from the outside look at it and say, "It is \$38 billion, \$72 billion, \$69 billion; whatever it is, it is all very confusing." Most of us who do not think in terms of billions too often, sometimes lose the fact of exactly what that means. But when you put it in simple terms, just to pay the interest alone is going to cost this province, by some economists' predictions, almost \$1 million an hour, 24 hours a day, 7 days a week, 365 days of the year—not to pay for education, not to pay for health care, not to pay for all the other wonderful programs; just to pay the interest alone on the deficit. I think that is something people can recognize and understand.

The previous speaker spoke, I guess, almost an hour. It was certainly very amusing, but I think it was about an hour. In the course of his debate, we spent \$1 million, or will, by the end of the projected deficit; \$1 million an hour just to pay the interest alone, not for any programs. The sad part about that is that a lot of that interest is going out of this country. That is a very simple fact that all of us can understand. As we sat here and listened to the previous speaker, in approximately an hour's time we spent almost \$1 million just to pay the interest alone. I think most people can understand that. In fact, at 6 o'clock, when my kids turn to Polka Dot Door and the next program, which is on at 6:30, in an hour's period of time we will spend in this province almost \$1 million servicing the debt.

When people look at it and say, "What does \$72 billion mean?"—a lot of people think it is "million." It is not; it is "billion" with a "b"—it means we have to pay the interest on that and somewhere along the line we are going to have to pay that to the people we owe the money to. As I said earlier, the worst part is that a lot of that debt is owed to foreigners.

The previous government owed about \$3,700 for every man, woman and child in this province. There is some debate on what it will be, but the total debt, when people put it in perspective and also put it in pretty simple terms, will probably be easily about \$7,000 for every man, woman and child in this province. That is what the debt will be. When you sit here and look at the members opposite and say, "You owe \$7,000, and you owe \$7,000, and you owe \$7,000, and you owe \$7,000," and we go on and on—unfortunately there are so many of them over there I could go on and on—but \$7,000. I look at my own family: three kids, a wife. There are five of us and we will owe

approximately \$7,000 each. Quick mathematics looks at it and says in this province we are in sad shape.

I had the pleasure of speaking to a group of high school kids, and we talked about all the issues—health care, the environment. I guess they were a grade 10 class, and I spoke with them. A couple of them, who I guess maybe because of the speaker I was were not too enthusiastic but when I got to the point when I said how much the debt was and how much they are going to owe, came up afterwards and said: “What are you people doing to us? What are you doing to our next generation? Not only are you ruining the environment, how are we going to pay for this? How are we going to pay for this debt that you people are running up?”

When people put it in simple terms, not \$72 billion in percentage of gross domestic product and some of the things that economists talk about, but in simple terms, for every man, woman and child we will owe at the end of the mandate approximately \$7,000. That is a very sad commentary on this government, because there will never be any opportunity for tax relief. We have tax revolts going on in this province right now, but there will never be any opportunity for tax relief with a deficit like that, because in fact what you have to do if you want to ever, in any period of time, reduce taxes, is to get government spending under control.

As I related, I think it was the last time I spoke, 80% of the people in this province—and that includes NDP members, Liberals and Conservatives—believe we should control spending. Instead of doing that, what did we do? Inflation is at about 5.4%, and we have a spending program that is going to be about 13.4%. It is inflation plus, and then we wonder why people are a little bit cynical and sceptical about the political process.

My friends opposite talk a little bit about what happened federally, and I guess I related last time in here that Jeffrey Simpson was the one who said in his article that during that period of the runup from 1980 to 1984, the deficit doubled under our friend Mr Trudeau. The fact is that when you get on that deficit cycle, you can never get off, because you know what happens—you have to pay the interest on the debt alone. That works out to almost \$1 million an hour. You cannot get off that cycle. Then years later you have to have cuts in programs, because literally the country and the province are bankrupt.

We did not learn from history what happened federally in the early 1980s, when they tried to spend their way out of it. We did not learn from that, and as one of the people said, I guess going way back, if you do not listen and learn from history, you are doomed to repeat it, and that is what we are doing here.

I guess it is 6 o'clock. Polka Dot Door is calling for my kids, so I will move adjournment of the debate and will pick up at a later date.

Hon Miss Martel: If I might raise a point of order and ask the members to deliberate: Last week there was a pretty specific commitment made at the House leaders' panel to deal with orders of business every day this week without a problem. Today everything that appears on the

order paper was in fact what we were to deal with. We have not gotten half as far as we were supposed to, but what I would ask at this point is whether we can have some consent at least to have the member finish, and finish third reading of the particular supply bill.

I have some agreement from the member who was to speak next for the Conservative Party that she would prefer to be able to do her speech with respect to the Ontario Loan Act, which we have scheduled in case tomorrow. So I would ask if I can get some consent at this point to at least finish third reading of the supply bill and get done with that particular piece of business.

The Acting Speaker: The government House leader has requested unanimous consent that the member for Oakville South terminate his participation in the debate and that he be allowed to continue and complete his participation in the debate, at which time we could then call for questions or comments and then we could terminate the debate on supply. Is the House in agreement?

Agreed to.

Mr Carr: I will be very brief. I hope the kids have not already turned the station to Polka Dot Door. They can flip back very briefly.

I just wanted to wrap up very quickly and I wish I had a little bit more time, because there were a few points that I did want to make. But I will just conclude my remarks by saying that when you get on the cycle of deficit spending you can never get off. I hope that as we sit and reflect over the next little while that we think of some of the people who are coming up during the next generation who are going to have to live with the tremendous deficits that are out there. I was very pleased to get a chance to participate in the debate.

Hon Mr Wildman: I just want to say that I am disappointed that the Conservative member did not proceed when he had the opportunity just because he apparently feels that his children were not watching. Perhaps someone else might have been.

The Acting Speaker: I do not think that was participation. I believe that was a matter of opinion.

Hon Mr Laughren: May I express my appreciation to the members opposite for allowing us to conclude the debate on the supply bill and to assure members that there will be an opportunity, I believe tomorrow under the Ontario Loan Act, to engage in a similar kind of debate for those members who wish to,—even though I find it hard to believe that they would wish to have something to say about the budget and the budgetary process of this government. Having said that, I do appreciate the comments of the member and I enjoyed very much the dissertation of my friend the member for Renfrew North.

Motion agreed to.

La motion est adoptée.

Third reading also agreed to on motion.

La motion de troisième lecture est également adoptée.

The House adjourned at 1805.

ERRATUM

No.	Page	Column	Line	Should read:
41	1666	1	37	Pakenham are outraged at the proposed closing of the new

ALPHABETICAL LIST OF MEMBERS

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Speaker: Hon David Warner

Clerk of the Legislative Assembly: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees: Smirle Forsyth

Clerk Assistant and Clerk of Journals: Alex D. McFedries

Sergeant at Arms: Thomas Stelling

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines and to the Minister of Northern Development
			Vice-Chair, standing committee on Ontario in Confederation
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Hon Brian A.	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
Churley, Hon Marilyn	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
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Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
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Grandmaitre, Bernard	Ottawa East	Lib	
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Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities

Name of member	Constituency	Party	Other responsibilities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Chair, standing committee on regulations and private bills
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	Chair, standing committee on resources development
Jackson, Cameron	Burlington South	PC	Parliamentary assistant to the Minister of Energy
Jamison, Norman	Norfolk	NDP	Chair, standing committee on estimates
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Jordan, Leo	Lanark-Renfrew	PC	Parliamentary assistant to the Chair of the Management Board of Cabinet
Klopp, Paul	Huron	NDP	
Kormos, Peter	Welland-Thorold	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kwinter, Monte	Wilson Heights	Lib	Chair, standing committee on resources development
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Health, Chair of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
Mackenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
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McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
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Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
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Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
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North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation

Name of member	Constituency	Party	Other responsibilities
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
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O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
Rae, Hon Bob	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
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Stockwell, Chris	Etobicoke West	PC	
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Sutherland, Kimble	Oxford	NDP	Vice-Chair, standing committee on finance and economic affairs
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Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
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Wilson, Hon Fred	Frontenac-Addington	NDP	Minister of Government Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	

Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

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 Co-Chair: Noel Duignan
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 Clerk: Smirle Forsyth

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Journal des débats (Hansard)

Le jeudi 6 juin 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 6 June 1991

The House met at 1000.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

CORNWALL AREA ECONOMIC PROTECTION ACT, 1991 LOI DE 1991 SUR LA PROTECTION ÉCONOMIQUE DE LA RÉGION DE CORNWALL

Mr Cleary moved second reading of Bill 102, An Act to protect the Economies of the Border Communities of the Cornwall Area.

M. Cleary propose la deuxième lecture du projet de loi 102, Loi sur la protection économique des communautés frontalières de la région de Cornwall.

Mr Cleary: While requesting exemptions to the proposed tax increases in the 1991 budget for fuels, tobacco and alcohol, this bill is particularly designed to assist the border community of Cornwall.

Merchants in my riding have said that the swarm of across-the-border shoppers has resulted in dwindling sales and job losses. Indeed, as all members are aware, my riding has been particularly hard hit by unemployment.

Frankly, the cross-border shopping frenzy shows no sign of abating. Unprecedented lineups have created traffic jams on the St Lawrence Seaway International Bridge between Cornwall and New York state. It reached such climactic and serious measures that natives on the nearby Akwesasne reserve threatened to blockade the bridge to protect the disruption of their lives.

I believe that shoppers want to support their local economy. People want to shop in Cornwall, Sault Ste Marie, St Catharines, Windsor and all border communities across this province, but first they have to look after their pocket-books. Of course consumers decide to drive to the United States, where lower prices and lower taxes have become very attractive.

A recent provincial government study showed that retailers in the Cornwall area last year lost \$12 million in sales to cross-border shopping. Across the province, this translated into over \$500 million in lost revenues. Neither figure includes lost taxes. Increased taxes on gasoline, cigarettes and alcohol are the prime attractions for US-bound shoppers and will lead to further increases in cross-border shopping.

In his recent budget, the Treasurer raised the gas tax by 1.7 cents on 29 April and an additional 1.7 cents on 1 January 1992. With the most recent increase half of the price of gasoline is now tax. As a result of the budget, it has been estimated that drivers will pay an extra \$36 this year and \$73.44 in 1992, based on 20,000 kilometres. On average, a Cornwall motorist pays 56 cents per litre for gasoline compared with 26 cents in the United States.

Cornwall has a problem even bigger than that of other border communities, because it sits near an Indian reserve

where there are absolutely no taxes collected. In any case, the cost of Cornwall gasoline is almost 50% more than in the United States.

However, if we look at the cost of just the product itself without taxes, at the price of a litre of gasoline in Canada and the price of a litre of gasoline in Massena, New York, the price of gas before taxes in Canada is 32 cents per litre, compared with 33 cents in the United States. As a result of these differentials, Cornwall retailers are down in volume anywhere from 25% to 50%.

Subsequently, 28 local retailers from our area formed a gasoline and motor vehicle retail association. This group states clearly that the root of the problem is the incredible tax imbalance between the two countries and it feels that tax reduction is necessary. While revenues generated from both the provincial and federal government would decrease per litre of gasoline, a higher volume would be sold, thus offsetting any reduction.

The budget increased the cost of cigarettes. As a note of comparison, a carton of 200 cigarettes costs \$40.81 in Ontario and \$22.21 in New York state.

The liquor tax: For the recent increases on beer, wine and liquor, a similar comparison may be drawn on the Canadian-American price differential.

Sunday shopping: Many of our retailers in Ontario border communities insist that they must be open to cut their revenue losses and win back shoppers flooding into the United States. For the greater part of the year, there is still an outflux of shoppers crossing the bridge to buy a few goods, filling up the gas tank and stopping for a quick meal while in the United States on any day of the week, all factors which drain our local economy. Local retailers can provide the best customer service, but they will not keep the customers if these are able to get gas and products more cheaply within minutes of Cornwall.

Further, it is not just the consumer going across the border; it is our retailers and our industries. Several factors reflect why the United States may be a more attractive location—basic economies of scale and geography, lower municipal taxes, lower labour costs, lower overhead costs, tax exemptions and prorated tax agreements and other economic incentives. Canadians must be made aware of the benefits they receive in return for paying higher taxes. But many people do not care or cannot afford to care, given the economic situation.

In fact, after the Cornwall Business Council conducted a study on grocery prices on each side of the Canada-US border, food actually proved to be cheaper in Canada. On a typical food basket, two Cornwall stores came in at \$94.41 and \$101, while a P&C store in Massena came in at US\$93.50, on top of which is the exchange and duty.

I am pleased to report that efforts are being made at the community level to combat the cross-border shopping crisis. I note the publicity campaign to enhance consumer

awareness about the consequences of cross-border shopping, in which my riding will participate.

1010

On a more local front, the Cornwall Business Council is busy trying to develop a strategy to deal with cross-border shopping. The first step of the strategy was the Shutter Bug program, which recognizes local merchants who provide super service. In fact, one of my constituents, Bill Willis, has recently been awarded the Loeb Award of Excellence in community involvement.

The Cornwall Chamber of Commerce, the Stormont, Dundas and Glengarry business futures committee and the South Dundas Economic Development Commission have initiated a study to identify what goods and services are being purchased outside the area. As well, the mayor of Cornwall is currently involved in a cross-border shopping consultation task force.

Municipal, provincial and federal governments must work together to ensure a more competitive economy, while providing the necessary incentives and support to customers and businesses alike. I would like to stress that commercial and industrial failures, or relocation, causes revenue to decrease. In these exceptional times of hardship and recession, communities now need help. I was extremely disappointed to learn of the recent decision to terminate interest-free business incentive loans from the Eastern Ontario Development Corp. As a recent Angus Reid poll indicated, many Canadians favour tougher restrictions to discourage cross-border shopping.

I will leave the balance of my time for a windup because I am very interested in hearing what my colleagues have to say. I know many of them share the same problems.

Mr Villeneuve: I want to congratulate my colleague the member for Cornwall for his private member's motion. He is certainly addressing a very real problem, not only in eastern Ontario but across all border communities, but particularly in eastern Ontario. I am sorry the member was not able to attend our task force last Thursday in Cornwall. I presume he was still here in Toronto. I would have been very interested in hearing what the mayor of Cornwall and a number of business people had to say regarding the major problem of cross-border shopping.

First of all, the main problem is the cost of fuel, and I think the member for Cornwall touched on it. We had several representatives from the fuel industry at the retail and wholesale levels, and the comparisons are like this: In Massena, New York, which is a five-minute drive from Cornwall over the Seaway International Bridge, the price of a 55-litre fuel fill-up is \$20. In Cornwall, Ontario, it is \$30.

However, on Akwesasne, an Indian reserve which happens to be right between Cornwall and Massena, the Mohawks, known as Akwesasne, are not Canadian, not American, not Québécois, not Ontarians. They are North Americans and they are not subject to tax. That same tank of fuel on Akwesasne costs \$16, so therein is the problem in a nutshell. The difference brings our Ontarians to Akwesasne to fill up. It is very easy to go to the St Lawrence Mall on the outskirts of Massena, New York, and do

some shopping at what are perceived to be advantageous prices.

The business community in the city of Cornwall has done a study, and I was very interested in hearing of that study last Thursday by one of the presenters to our task force. They actually did a study on groceries and other commodities, and would you believe, Mr Speaker, that the price is cheaper in Ontario? However, fuel brings them over; an empty tank of gas brings them over. The perception is: "We will save money. We've saved money on gas. There's no doubt about that. And if we stay long enough to be legal, we can take back a bottle of alcohol and a carton of cigarettes."

I have no great sympathy in that area, but fuel is not a sin tax. This government must realize that before the budget came in, the Treasurer said he would not increase the sin taxes. What happened was exactly the opposite: 1.7 cents a litre. Multiply that by 4.5 to find out the increase on a per-gallon basis. Of course, there are cigarettes and alcohol and you name it: \$1 billion of added taxes at a time when the economy could ill afford any increases, particularly in the area of fuel, which is the main catalyst that is bringing people from Cornwall, from Ontario, over to New York state.

I will be supporting without hesitation the motion of my colleague the member for Cornwall. However, do members know what he is talking about really? He limits it to his riding. I find that rather sad. I took the time to look at the situation just across the border to the east of us, in the place called Quebec. It has tax zones. I was not aware of that and I made some notes. I would have liked the member for Cornwall to look at this. This makes a little more sense than limiting it to the riding of Cornwall.

Quebec has five tax zones. If you happen to live within five kilometres of the border, the provincial tax is 6.58 cents a litre. If you live in the next zone, five to 10 kilometres from the border, the tax is 8.36 cents a litre. In the third tax zone, which is from 10 to 15 kilometres from the border, the tax is 10.01 cents. When you live beyond 15 kilometres from the border, the tax is 12 cents a litre. That is addressing the reality of the situation.

You are a victim of circumstance if you happen to have a service station close to the Ontario-New York border. Quebec has recognized that by creating tax zones. I would like my colleague the member for Cornwall to think about that, and I would like the government to think about that. Even if members approve my colleague's private member's motion this morning unanimously in this Legislature, I do not think it will become law. I think the government of Ontario has to look at the zone, at least to provide a degree of protection and recognize there is a problem.

Right now, all the government is doing is blaming the federal government at every turn in the road. It is not above reproach, and I will be talking about that as well. However, in the real world of politics here in Ontario over the last five years, in the five most economically buoyant years, the Liberals increased our deficit by \$10 billion. They also allowed us to lose the 10% tax advantage that

we had as Ontarians over our colleagues and friends in Quebec.

As a matter of fact, at the task force that heard a number of presentations in Ottawa last Thursday morning, we had a tax consultant tell us that if he were advising a new business sitting in the city of Ottawa whether it should set up in Ottawa or in Hull, he would advise it to go to Hull, Quebec for the 5% tax advantage that it now has. That is compared to five years ago, when we in Ontario had a 10% tax advantage. That is what has happened under two socialist governments: the Liberals and the NDP.

Now I get back to the federal government. It is far from being above reproach. It has grabbed everywhere it could, and it was faced with a large deficit, which we in Ontario are presently creating for whoever follows this government. However, I was listening to the CBC this morning and I heard Sir John A. Macdonald speaking. Sir John A. Macdonald's birthday happens to be today. The actor was Robert Welsh from Manotick. He will be travelling to a small community in my riding known as Avonmore this afternoon. I hope to be there. I hope Via Rail is on time to bring me to Avonmore some time between 4 and 6.

Do members know what the now sober Sir John A. Macdonald will be telling the people of Avonmore? "We do not want our post office to close." Avonmore is a small rural community next door to my small rural community. We will be fighting tooth and nail to retain the post office that has been there for 127 years. I will be doing everything within my limited power as an MPP here in this Legislature.

1020

To get back to the problem of cross-border shopping, the community of Cornwall is suffering terribly from the long lineups trying to get back into Ontario with a tankful of gas, maybe four new tires to be exempt from the \$5 tire tax and a couple of cartons of cigarettes and a couple of 40-ouncers of alcohol, as well as groceries and clothing. They are lined up at the border, and it is taking an awful lot of time to get through. Be that as it may, they are over there to shop primarily because the price of fuel is so much cheaper. I reiterate, the zoning of locations in Ontario somewhat similar to what Quebec has done is, I think, inevitable. This government must look at it very seriously.

There is the study done by the business community of Cornwall which indicated that groceries and a lot of commodities were cheaper in Ontario as compared to Massena, New York. I am not telling members that it is cheaper compared to anywhere in the United States, but for Cornwall in comparison to Massena, it is proven; we have the study. It is cheaper in Ontario. The exorbitant cost of fuel here in Ontario is bringing them over and they are spending money while they are over there. Gas retailers cannot win. François Guindon made us a presentation and indeed a plea that the community is suffering very dramatically.

I want to touch on another area. MacEwen Fuels happen to be situated in Maxville, which is my home town. I am pretty proud that they are there because they are pretty major employers. But what would happen if the minimum wage in Ontario were increased by 50 cents an hour, not a

lot of money? This fuel distributor has 84 sites, and they are open 17 hours a day, seven days a week. Do members know what that would cost this small fuel retailer and wholesaler? Some \$5,000 a week. Multiply that by 52 weeks. The NDP government tells us it wants to protect the workers. They will be protecting unemployed workers, that is who they will be protecting, because no one will be there to employ anyone. It is that simple, and that is not including the added cost of the employer health tax, UI, CPP and all the rest of it; that is just out-of-pocket direct on the paycheque, \$5,000 a week.

Second, the 3.4 cents a litre increase—1.7 cents the day of the budget, 1.7 cents on 1 January 1992—will cost this retailer with 84 outlets \$3,060,000 in additional tax. Whenever we say additional tax, that is the 30% that was tacked on by this Treasurer after telling the people of Ontario that he would not increase the so-called sin taxes. That is after trying to tell us that he was going to stimulate the economy.

My colleague the member for Cornwall is absolutely right; the city of Cornwall is dying, and not a slow death any more but a quick death. This government is trying to tell us it is using this large deficit: short-term gain for long-term pain. It used to be the other way around when there was another government prior to 1985 in this province: short-term pain for long-term gain. Now we have short-term gain, crass political gain, for long-term pain that will be paid for by our grandchildren.

Interjections.

The Deputy Speaker: Order.

Mr Villeneuve: The truth is getting to them, Mr Speaker, and I hope they do not just react in a negative way but take some positive steps.

I see the member for Ottawa Centre here. I think it is a tragedy that she is no longer in cabinet. I think she was doing a good job looking after the interests of eastern Ontario and I know she is probably still doing it from outside the cabinet. However, she has to take the message to the Premier that whenever a tax consultant in Ottawa says, "I would advise my client to go to Hull because of a 5% business tax advantage," there is a clear message there and it is coming from someone who has no political axe to grind. It is pure facts.

In 1985 we had a 10% tax advantage over Quebec. Now we are at a deficit of 5% and falling quickly into the negative.

Mr. Hope: No, that is negative.

Mr Villeneuve: It is absolutely true—\$10 billion this year of deficit, \$8.2 billion next year, and by the time their mandate is done, \$35 billion additional deficit. I do not know what it is if it is not going further. It is certainly going in the wrong direction. The climate for business is so terrible here in this province. We have not only rumours, but The Bay is talking about moving on. Whenever we have tire companies closing down, a couple of thousand people are out of work. Those are not border communities; those are communities that are not affected by cross-border shopping. Surely we are in deep trouble in

this province. It is the time the government recognized and addressed the problem in a positive way.

In conclusion, I congratulate my colleague the member for Cornwall. He is well meaning. I am afraid his motion may not go far. He certainly has our total support, and we are with him all the way. Create some zones and recognize the problem.

Ms Gigantes: It is my pleasure to be able to add a few words on the subject of Bill 102. It is a modest little bill, though to hear members opposite talk about it, you would think it was going to solve the economic problems of the nation. What we are talking about in Bill 102 is relief for residents of the Cornwall area from taxes that affect liquor, beer, spirits, wine, coolers and gasoline. This is proposed to us as a serious measure to help the Cornwall and area economy.

Interjection.

The Deputy Speaker: Order, please. You had your turn. It is their turn.

Ms Gigantes: Mr Speaker, I appreciate your help. I am quite used to speaking over the babble across the way.

There is no doubt that wide areas of this province, and I speak particularly of the eastern Ontario area, are suffering desperately during this recession. I want to point out to members opposite that it was this party which first voiced concern about this recession over a year ago when the parties opposite would not recognize there was a recession, when the word was not allowed in the political vocabulary of Ontario except from this party. Every hairdresser in Cornwall, Ottawa, Sault Ste Marie and Thunder Bay, every taxi driver in Toronto, every gas station attendant in Windsor knew there was a recession in April of last year, but there was no such thing happening as far the parties opposite were concerned.

We have to take this recession very seriously. When it affects, as it has affected, communities such as Cornwall, to the extent that there is a 16% unemployment rate in that community, that is a pain and a suffering for people in that area which this government takes very much to heart. When we came to government in this province—to our surprise, to the surprise of a great many Ontarians—we felt a great responsibility to begin to work on behalf of people who from over a year ago had been feeling the effects of the recession, particularly in eastern Ontario.

1030

One of the first things we did was to announce last fall that we would undertake a \$700-million anti-recessionary fund and distribute that money to the areas which most needed it for the development of capital infrastructure which would last for years and serve the public of this province and which would provide, has begun providing and is providing work for 20,000 people in this province.

I want to point out that eastern Ontario has not been forgotten as we undertook those initiatives. Cornwall riding received \$5.8 million in provincial funding through that measure. Further, the area of S-D-G & East Grenville riding received \$11.9 million in funding.

I would like to underline that, while the average per capita allocation around this province—in other words the

amount of money that went out per person in an area—was about \$80, in Cornwall it was over \$100, and in the area of S-D-G & East Grenville it was over \$200.

There has been clear recognition by this government that there is a problem in eastern Ontario, and a particular problem in the Cornwall and S-D-G & East Grenville area.

We are not going to solve the economic problems of eastern Ontario, northern Ontario, or southwestern Ontario by setting out tax zones and allowing people to buy cheaper liquor or gasoline. That is not going to solve the problem. Those are very temporary, superficial measures.

The problem of cross-border shopping is contributing to the difficulties people are suffering in the economies in affected areas. In Cornwall it is being felt and has been felt for some time. It is urgent now because of the economic situation in Cornwall. What we have to do is tackle the problem of cross-border shopping.

This government, through the Ministry of Industry, Trade and Technology, has been providing funds to the very groups that have been cited by members opposite who are doing a fight-back campaign in their own communities, on behalf of their own business communities, to help encourage and support those businesses, to help convince people that shopping in the local area is a wise investment, a good social and economic investment. We are putting money into that because we believe it is necessary.

We are also undertaking the first thorough study of cross-border shopping of any government in this country. MITT has been involved in that study now for many months and it will continue that work until its completion in the next few weeks.

When we have the results of that study and can add them to the efforts in the local communities that are so deeply affected, then we are going to be able to come up with policies that perhaps will begin to address the overall problem.

Mr Villeneuve: Are you supporting it, Evelyn?

Ms Gigantes: I am not willing to support a bill that treats this problem as if it is a question of how much money one pays for wine, beer, spirits or coolers in Cornwall. That is not the problem and that is not the solution.

We have to have long-term policies. We need to have regional economic development policies that will deal with the problems of areas such as eastern Ontario, and this government intends to bring those policies forward.

Mrs Fawcett: It gives me a great deal of pleasure to rise and speak definitely in support of this bill. My colleague the member for Cornwall is a very hardworking member who is doing his utmost to represent the concerns of his constituents by bringing this bill forward today.

The devastating effects of cross-border shopping, not only in his community but right across the province, are really unparalleled in recent memory. The member for Cornwall has relayed to our caucus on several occasions the very real concerns he has for the economic wellbeing of his constituency and how this government's lack of action allows cross-border shopping to continue to erode the economic viability of Cornwall.

Yet there are tools at this government's disposal which could help stop the bleeding. As my colleague has suggested in his bill, an exemption from the proposed new taxes in the government's budget for border municipalities would be an excellent start.

I would also suggest the government may want to offer financial assistance to business groups in these municipalities for marketing and advertising to counteract the advertising being done by our neighbours to the south. We continually see their ads in the local newspapers right along the border. This is something perhaps even the member for Frontenac-Addington might want to pursue at the cabinet table to help address the ill effects of cross-border shopping in his constituency, or the widespread ramifications they are having in his colleague's neighbouring riding of Kingston and The Islands.

I was in conversation with my husband last night, who happens to be down at our farm right now on one of the islands he represents, Howe Island, an absolutely beautiful place. He very often has to go into Gananoque and other places for supplies, and certainly the topic of conversation there is the devastating effects that cross-border shopping is having in that area as well, the numerous businesses that are gone or just hanging on by a thread.

The government could look at the issue of cross-border shopping as an opportunity to finally help small business in Ontario instead of taking its normal route of ignoring or bashing them. Government could work with small business to develop plans to improve its competitiveness, something I am sure the Minister of Industry, Trade and Technology might want to pursue. I would suggest this government re-establish the parliamentary assistant's committee on small business that worked so well in the past. The first issue that group may want to study would be cross-border shopping.

As has been said, cross-border shopping is slowly draining the economic life out of retail industry in Cornwall. A report prepared by the provincial government estimates that Ontario will lose \$1 billion this year alone, and a good portion of that \$1 billion will be from eastern Ontario. Will that money ever be found again? My guess is that it will take a very long time for recovery, unless of course we see some very real, concrete assistance from this government, because that \$1 billion is lost in jobs, taxation and small business failures as a result of the cross-border shopping. The NDP government has wasted valuable time which could be used to help solve the problem.

I certainly want to commend my colleague for bringing this most important issue to the Legislative Assembly and I urge every member to support him in his efforts to curb the ill effects of cross-border shopping in his constituency. I suggest the government may want to use his fine example as a way to address this issue across the province.

1040

Mr Martin: I am really happy to be able to get up this morning and speak to this resolution. Certainly cross-border shopping is an issue that everybody in this province should be looking at very seriously, particularly those of us who represent communities across the river or land from

an American community, or another provincial community for that matter, as we try to maintain and strengthen the economies of the places where we live.

The tack I would like to take this morning in confronting this question is one of trying to put it into some context. The answer to the problem presented this morning by the member opposite could in fact become part of a larger initiative to stem the tide of moneys going across the river in some instances, but I suggest it is certainly not the answer, nor one of the major reasons for the phenomenon happening in the first place. There have always been differentials on varying products over the years as one community competed with another, and what we have today is not that significantly different, as stores and businesses jockey for position in an economy that is always so very competitive.

I would like to suggest today that the cross-border shopping challenge is fundamentally a federal question. It is a question of relationship between two sovereign countries. The attitude the federal government has taken over the last number of years in its attempt to rid us of the borders between us and our neighbours to the south is the major problem we face here, the kinds of things the federal government has tried to foist upon the people of this country under the guise of free trade, the value of the dollar and so many other things that have such a significant impact on our ability to compete across the river.

This is a very complicated and sophisticated problem that is not going to be answered by communities by themselves, businesses in those communities or even the provincial government. There is an answer to this, but it has to be a co-operative answer among all those bodies, particularly leadership by the federal government.

The federal government, in its effort to create what it sees as a level playing field, will stop at nothing to do that. Under attack, in that effort, are all the things we as Canadians hold dear, all the things we value: our social programs, our system of hospitalization, our education system and everything else supported so generously by the taxes of the people who live in this country, who choose to live here because of the things we see as important, the sharing among one another. If the federal government is allowed to continue the agenda it has set out for itself of bringing us down to a level of service comparable to what the Americans deliver, or to share with one another, then we will all suffer.

Interjections.

The Deputy Speaker: Order.

Mr Martin: We also have to take into consideration the fact that, as my colleague who spoke earlier from the government side said, the country is in a deep recession. This recession was certainly not caused by our government. We inherited the conditions within which this recession gets even deeper as days go on.

The federal government shares a big part of the responsibility there. Certainly the previous provincial government, with its inability to come up with an industrial strategy that projected into the next century in any significant way, can also take some responsibility for the economic

condition we find ourselves in in this province right now, and for some of the fundamental challenges that face communities as they try to come up with new economic plans that speak to health and a sustainable prosperity for them into the next few years and indeed, into the next century.

When you put together a federal agenda which is designed to rid us of any border whatsoever between ourselves and the Americans, so that multinationals can become the government of the day with no concern whatsoever for those things that we as Canadians have come to hold as valuable; when you combine that with the recession which was not in any way anticipated, nor were any preparations made by either the federal or the previous provincial governments, we have in front of us, particularly those of us who represent border communities, a problem of tremendous magnitude that is not going to be solved by simply reducing the taxes on things like gasoline, tobacco and other commodities that produce the revenue we need to pay for the great education system, hospitalization system and other services we have come to expect as Canadians.

Indeed, the suggested remedy here re this bill today, as I said when I started, might be part of a larger answer. I commend the member opposite for bringing it forward and for raising this issue, because certainly none of us who represent border communities can in any way ignore this particular problem as the federal government and the previous provincial governments did. So I suggest to the members that fast-laning, express-laning borders is not the answer. This may indeed be part of the answer, but all of us together, all levels of government have to come together and come up with a bigger response.

Mrs Caplan: I am pleased to rise in private members' hour and debate Bill 102, which I believe is a very thoughtful response from my colleague the member for Cornwall.

Private members' hour gives all of us an opportunity to debate issues of the day, releases us in a way to be the member of provincial Parliament from a specific area across this province, to support one another on an individual basis, on a non-partisan basis, when there is a good idea that comes forward.

Frankly, I am a little surprised. I have been in private members' hour over the last few weeks and I have been listening to some of the debates. I know there are a lot of new members in this House who may not realize that this is their opportunity to release the bondage of having to defend the government. They are unfettered in private members' hour to think, to come up with good ideas and to support good ideas that are suggested by other members across the House.

I would say that this is a very good idea. I would point out to all members of the House that the history of cross-border shopping, which is draining the border communities, is not something any of us takes lightly. We know that history is one which has been ongoing for some time, and we also know that now is the time for action and for leadership.

The mayors' task force of which, as my colleague pointed out, the mayor of Cornwall is a member, actually

suggested some courses of action that could be taken to alleviate this situation.

I believe the member for Cornwall's proposal in Bill 102 would allow the city of Cornwall, the township of Cornwall and the township of Charlottenburgh to become a pilot for that kind of proposal that was called for by the mayors' task force itself. They called for a graduated tax on gasoline. As critic for Municipal Affairs, I met with that task force. They pointed out to me and to all of us who listened to them in their thoughtful presentation before the standing committee on finance and economic affairs that the reason people who live in border communities cross the border on a regular and habitual basis is because of the difference in cost of gas.

I think the member for Cornwall did an excellent job in documenting this. I will quote from his remarks. He said that the Cornwall Business Council conducted a study of grocery products and found in the Cornwall area that groceries were in fact less expensive in Cornwall than they were across the border. He went on to point out that it was the lure of filling up the gas tank.

That is not only true in Cornwall; it is true in Sault Ste Marie, I would say to the member who spoke against this proposal; it is true in the Niagara region; it is true in Windsor; it is true in all of those communities where so many people live within 15 or 20 minutes of cheaper gas across the border. It is the lure of filling up their gas tank once or twice a week that encourages them to cross the border.

My colleague the member for Cornwall pointed out that, as a result of these price differentials in gas tax, the retailers in Cornwall are finding that their volume is down between 25% and 50%. They are trying to help themselves, but the proposal which would alleviate the Cornwall area from the impact of the gas tax imposed by this budget would give us a chance to study that, to see if it works, to see if it has an impact on cross-border shopping.

1050

I urge the members of this Legislature in the government caucus to be open-minded, to consider this, to give this a chance to go to committee, to allow the mayors and people from border communities to come forward and say whether they feel this is an appropriate pilot that could allow us to examine the effects of a lower or graduated gas tax. I think it is an excellent idea and something that is worth considering.

I want to point out to all members of the House, as the member for Cornwall said, that a Cornwall motorist pays on average 56 cents per litre of gasoline compared with 26 cents in the United States. So we can see and understand why even the most thoughtful resident of Cornwall, even the most thoughtful resident of a border community who would understand the implications of cross-border shopping and would want to support his local community, would be tempted to cross the border to fill up with gas. That is the reason the mayors' task force recommended a gas price differential.

I know it has been dismissed by the government, I know it has been dismissed by the Treasurer and by the cabinet, but it does not have to be the end of that discussion. All members of this House have an opportunity

through the passage of this bill, by sending it to committee for discussion, to say to the government: "Here is an opportunity to test it out. Here is an opportunity to pilot, to examine, to see if this will work as the mayors say it will."

I suggest to the members of the NDP caucus that this is their opportunity, in private members' hour, to send those kinds of messages back to the government, to ask it to reconsider that which may be a good idea, which it has cast aside because it was told by some people that they did not think it would work. I think this is worthy of working.

Interjection.

Mrs Caplan: I am very surprised at the interjection of my colleague the member for Ottawa Centre, who is a very experienced member of this Legislature. She knows full well or she should know full well that private members' hour is a real opportunity for private members to speak up, to be advocates on behalf of their own constituency and on behalf of their regions.

Quite honestly, I was quite surprised that a member from eastern Ontario, from a border community, would dismiss out of hand and would engage in the kind of rhetoric and government defence we heard today from the member for Ottawa Centre. She knows that private members' hour can be used for thoughtful and wholesome debate. I was surprised, in fact I was amazed, that she really felt she had to defend and be so defensive. I know it is not simply that members of the NDP caucus feel they have to defend the government, but I was surprised that a member from eastern Ontario would feel she had to do that in private members' hour.

I would point out to all members of this House that in his budget, the Treasurer raised the gas tax by 1.7 cents per litre on 29 April and by an additional 1.7 cents as of 1 January 1992. For the Cornwall area, which is in the far eastern corner of the province, the member for Cornwall's bill would present an ideal opportunity and an ideal community for the government to have a chance to look at a protected area.

By not allowing the new taxes in this budget to apply to the Cornwall area, this government could show it is open-minded. By even allowing this bill to go to committee, we could hear from people in the Cornwall area, and perhaps economists and others from around the province, what impact this might have and whether or not this could be one solution to the cross-border shopping problems we are facing.

I have listened with great care to the debate in this House and I think there is agreement that this is not a simple issue. But what we have seen from the government so far has been failure. The only thing we have seen them do that has been in any way proactive has been to blame. The time for blame has passed. There is no point blaming the federal government. There are things this provincial government can do. They can show leadership. We have seen no leadership from the Minister of Revenue; we have seen no leadership from the Minister of Industry, Trade and Technology; we have seen no leadership from the Minister of Municipal Affairs, and certainly we have seen no leadership from the Treasurer.

We know there is an opportunity now for all members of this House, in support of the member for Cornwall's bill, to examine this, to give the government an opportunity to display some leadership by being open to a good idea from a private member who represents an area that is suffering not only because of the recession and the economic impact in this province, but also because of the lack of leadership of the provincial government and the lack of action of the provincial government in addressing the recession and because of the huge impact of additional taxes at this time in that part of the province.

I would say to members of the House that supporting the member for Cornwall in this initiative would also send an important message not only to all regions of the province but to all members of this House that if they come up with a good idea, their colleagues, free from the partisanship and the rhetoric of defensive government, are open to good ideas in this House.

Mr Cleary: First of all, I would like to thank everyone who participated in the debate and particularly the member for S-D-G & East Grenville, who made some fine points on a graduated gas tax. I did have those figures and also the intentions of what they would like to do in New Brunswick, but time is of the essence, and I am pleased that he brought those out.

I would also like to thank the member for Ottawa Centre for her remarks. She mentioned 16% unemployment; I think it is probably over 20%, because a number of people are off unemployment now and their family has to be working and they are not drawing any benefits.

I would like to thank my colleague the member for Northumberland for her fine remarks and also the member for Sault Ste Marie. I do realize they have problems in his community, and I want to tell him that it is not my intention to look only at the Cornwall area if we can get this bill to committee. I hope we would look at all areas of the province, because I do have letters from them and I share their concerns. I would also like to thank the member for Orillia for her remarks.

I think the only way to solve this problem—I do agree that tax breaks may not be all the answer, but at least if we get to committee and we can get our municipal, our provincial and our federal counterparts working on this, I think the end result will be very rewarding, because the fact remains that 80% of Ontarians live close to the border. I do hope members will give this bill some consideration when they are voting, and I would appreciate it if they support it. I think if we all work together we can solve this problem.

Mr Villeneuve: On a point of privilege, Mr Speaker: I simply want to correct the record. Sir John A. Macdonald, a reincarnated Sir John A., is coming to Avonmore this afternoon on the anniversary of his death, not his birthday.

The Deputy Speaker: The member for S-D-G & East Grenville understands that this is not a point of privilege.

VICTIMS' BILL OF RIGHTS ACT, 1991
LOI DE 1991 SUR LA DÉCLARATION
DES DROITS DES VICTIMES

Mr Jackson moved second reading of Bill 103, An Act to establish the Rights of Victims of Crime.

M. Jackson propose la deuxième lecture du projet de loi 103, Loi portant déclaration des droits des victimes d'actes criminels.

The Deputy Speaker: Pursuant to standing order 94(c)(i), the member has 10 minutes for his presentation.

Mr Jackson: At the outset, I would like to thank all members of the Legislature for receiving this bill in the same non-partisan spirit in which it was written and has been tabled in this House.

When faced with the issue of treatment of and care for victims of crime, the major political parties in eight provinces across Canada have put aside their differences to work together to establish victims' rights bills. I hope that members of this assembly will today demonstrate their wish to stand by that nationwide example of statesmanship and concern for the plight of victims of crime in Ontario today.

The need for private member's Bill 103, An Act to establish the Rights of Victims of Crime, may perhaps be best understood when we compare how our justice system treats victims with how it treats the perpetrators of crime. Our justice system indeed protects the rights of those accused of crime, and properly so. The accused are automatically provided with specific rights which have been entrenched in law, so as to ensure that the basic principles of due process of law are upheld.

But how does our justice system, how does society treat the victim of crime? Where are the provisions entrenched in law that would regularize police and legal procedures with respect to the treatment of victims of crime who, in the aftermath of a criminal act, must often face the sentence of prolonged suffering? Where is the established legal framework that would provide that victims of crime become not only a part of the process of criminal prosecution but also a part of the equally important process of self-rehabilitation?

Let us remember that under the law, the accused are innocent until proven guilty. Victims of crime, in their pain and loss, never cease to be innocent, never cease to be the victim, and in this is to be found a great injustice, a sad inversion of what we all fundamentally believe about the difference between right and wrong. There has always been a sort of legal fiction that a crime is against the state. That misses out a very simple point, that a human being is actually being hurt by that crime.

It is this injustice which Bill 103 seeks to address and to alter. Studies show that 60% of all information which results in the conviction of a criminal comes directly from the victim. Our criminal justice system actually works because of the direct participation of victims. Still, depending on the crime against them, between 30% to 90% of victims do not report it to police. As Pat Marshall of the Metro Action Committee on Public Violence Against Women and Children indicated to me, surveys show that women who

do not report crimes of violence against them frequently cite mistrust of the justice system as their reason for not reporting.

Dr Irvin Waller, professor of criminology at the University of Ottawa, was involved in the design of the United Nations declaration on crime victims. He tells me that victims' rights bills the world over have recognized that declaration and have instituted practical changes which both recognize and appreciate the victim as the driving force of justice.

I might add that Professor Waller has also worked on victims' rights bills for France and Australia and Canada's first bill in Manitoba. I would like to say that Professor Waller has strongly influenced some of the elements of this bill, and it has been in the hands of the Ministry of the Attorney General for the past three years, since I first drafted it. They have had an opportunity to study this bill at first hand.

When I presented this bill in February 1989 and then subsequently on 5 April 1990, unfortunately the bill was supported in the House but blocked from going to the standing committee on administration of justice. It is my fervent hope that such a fate will not befall this bill again this year and that in fact it will be allowed to go to the justice committee.

We must also acknowledge that there are outstanding programs that are available in this province which deal with the issue of victims' rights and compensation. I am sure the government members will be enunciating many of those programs, but the point is that those programs are not available to all victims in all jurisdictions, whether it is an example such as the London family violence program, which is an excellent program but not available in all communities. In my jurisdiction of Halton there is an outstanding victim services program, again not available everywhere. Our Criminal Injuries Compensation Board is an outstanding program, yet only one in 55 eligible victims in Ontario ever applies for compensation, let alone receives it.

Crown attorneys view illegal acts as crimes against society and not necessarily against the individual victim. This view, however, can blind one to the sight of the faces of victims, who are left in situations of prolonged suffering, of continued victimization, and with less assistance and support than criminals are afforded at taxpayers' expense.

Let us consider for a moment that more than 250,000 Ontario citizens will be victims of crime this year. Every day in the newspapers we read about these victims. In the media, they are portrayed as the wronged, as the key players in courtroom drama, and so often become unwilling celebrities in cases which publicize widely their private suffering. Victims, however, are not accorded the same play in the legal system, in the court proceedings.

This bill which we have before us today would be a corrective to that situation in our province. Bill 103 would require that victims receive information about the cases they are involved with, including the dates established for bail hearings for their assailants, including when and how the present victim impact statement would work.

I was informed of another case involving a family in which three children were victims of incest. They were sexually assaulted by their father over a period of six years. As adults, they decided to press charges against their father. When they went and presented themselves at the police station, they were directed to simply sit down in front of a typewriter and type out their statement. Never were they informed that this would be the basis on which the case would be heard in court. At no point were they advised that they could seek a lawyer for clarification, and it was no surprise that the outcome of that case is that the father was given a suspended sentence of three years of community service in a children's playground.

These examples demonstrate why victims feel that they are the ones who are put on trial. Really they are victims twice over, for in addition to being victims of a violent act, they become the victims of a justice system which sometimes appears to apply to them the reverse of the legal procedures reserved for the accused.

In 1988, amendments to the Criminal Code under Bill C-89 helped to accomplish a form of compensation which was channelled from the federal government through to each of the provinces. That bill dealt with victims' surcharges against convicted criminals. These funds are sent to this province for the express purpose of having them applied to improve victims' services, and that is where some of the money would definitely come from in order to pay for the enhancement of victims' rights in this province.

This bill would also put into law the right of a victim to be provided with ongoing information regarding his case. Victims should have the legal right to be informed by the police of the progress of the investigations related to their case and of charges laid in connection with them. In addition, victims should be routinely informed by police of the protection available to them to prevent unlawful intimidation.

It would also establish the right of victims to make representation to the prosecuting crown attorney before plea bargaining, sentencing or interim releases are considered for their assailants. Among other provisions, the bill would ensure that victims are informed whenever their assailants leave or have escaped custody. Under this bill, and upon request, victims of sexual assault would have the right to be interviewed by a police officer of the same gender.

In terms of compensation to victims, this bill would make offenders directly liable for damages to their victims as plaintiffs in a civil action, including those undertaken for emotional distress and bodily harm. Most significantly, this bill would provide a presumption that victims of sexual assault, attempted sexual assault and spousal abuse have suffered emotional distress, thus eliminating the requirement on the part of victims to prove this obvious fact before the Criminal Injuries Compensation Board or before a civil court.

Victims of crime in Ontario deserve the best care and support our society can offer. Victims then deserve more than what currently is provided for them under Ontario law. Let us not inflict on them a further injustice by allowing this bill to become a victim of politics itself. Therefore, on behalf of the victims of crime, I ask all members of the

House to join with me in passing Bill 103, a bill of rights for victims of crime in Ontario, and referring it to the standing committee on administration of justice of this House.

1110

Mr Wessinger: I would like speak in support of the principle of this bill. I think it is a matter which all members of the House are concerned about and all members of the House support in providing additional services and protection for victims. However, I would like to add a few comments with respect to some of the details and difficulties I see with respect to the specifics of the bill.

First, with respect to the whole question of the statement of principles in section 2, there is some ambiguity with respect to the bill as to whether these principles are to be binding or whether they are guidelines only, because of the use of the word "should." I am not certain how that ambiguity is to be construed by the mover of the bill. If it is a matter of "should," then of course it may raise expectations for victims which cannot be met. If it is a question of being a matter of law that the principles must be followed, first, there would be significant financial implications for the ministry to meet all such standards and, second, there are some cases where the investigation and/or the prosecution would be jeopardized if there was compliance with a particular standard. The Attorney General has policy directives to crown attorneys and the Solicitor General and municipal police forces have directives to police officers which are already addressing many of the principles contained in the bill, so I would say that in most cases the standards are now being met by policy directives.

Second, with respect to section 2, paragraph 5, I would suggest that the crown attorney is in effect meeting this objective. The crown attorney system provides special training programs on wife assault, child assault and sexual assault, in addition to regular, wide-ranging training on legal issues. We have the victim/witness assistance program, located in 12 locations in Ontario, which is funded through the Attorney General by the Ontario women's directorate, and the crown attorney's system itself provides three types of designated special prosecution co-ordinators in each office in the province. For victims of sexual assault, child abuse and wife assault, specially trained prosecutors serve as a source for prosecution staff in each office, providing additional information on the unique difficulties faced by these kinds of victims, in order that the prosecutor assigned to the case has an enhanced understanding of the complexities of these kinds of cases.

Section 2, paragraph 6, provides, with respect to consultation with the victim, that the victim should have an opportunity to make representation to the prosecutor before final arrangements are made with respect to a plea. Currently, information to victims and discussion with victims during plea negotiations is provided in many cases.

Section 2, paragraph 7, requires that victims be given an opportunity to make representations to the prosecuting crown attorney. I would point out that victim impact statements are used in many cases across the province, and affected ministries are currently preparing to reach a final

agreement on a province-wide system of impact statement programs, in accordance with the provisions contained in Bill C-89.

There are some aspects of the bill that I find quite interesting, and I might point them out since they were not mentioned. Section 3 and section 5 of the bill provide for damages for emotional distress in the case of a victim of an assault, if the victim is or was a spouse of the assailant, a victim of sexual assault and a victim of an attempted sexual assault, and section 5 of the bill provides that proof of conviction shall be taken as conclusive evidence in the case of civil actions. I think these certainly are matters which are good points, and I commend the member for raising them for future action.

In summary, the bill's statement of principles is a good statement of principles, but it may give rise to expectations that cannot be reasonably carried out, despite good intentions, and it might be unfair to victims to promise and/or guarantee services or remedies that cannot be honoured.

The bill, as I indicated earlier, covers information and procedures that crown attorneys observe in many respects. Further improvements could be made in expanded guidelines for crown attorneys.

With respect to sections 2, 6 and 7, these sections are not practical in every case, given the daily flow of cases through the courts of Ontario, particularly in large urban areas, and the bill also blurs the role of the crown attorney. The crown attorney is not the lawyer for the victim, nor is he or she the lawyer for the police. The crown is an independent assessor of the facts and all interests in making an independent decision.

As indicated earlier, I like the proposed changes with respect to changing the civil remedies. My minister does support the principles of Bill 103, but does not support special legislation, especially when it does not change the current state of remedies for victims.

Mr Curling: I first would like to commend the member for Burlington South for his persistence and—

Mr Sorbara: One of the best members.

Mr Curling: Yes, one of the better members of the Conservative Party. But I would just be very short on that, because many members of my party feel very compassionate about this bill, and we of course hope that the government side, over on the other side, supports this wholeheartedly.

Society, as members know, is judged by the manner in which it treats the most vulnerable and the most disfranchised. As elected members of Parliament, it is our responsibility to make sure that all human beings are protected and are treated fairly.

As one of my colleagues pointed out to me, the Criminal Code always seems to be there to punish the offender, and somehow there is no sympathy there for the victim. I think it is about time that we focus ourselves and our attention on some of the abuse and the psychological situation that the victim goes through.

The point I would like to make is that there should be some consistency in this bill across Canada. Although of course we approach it here in the province, we should

know that the House of Commons is debating this very actively. But we could set an example here by passing this bill. It would be unfortunate if someone being abused in the province, the victim, would be treated better here than elsewhere, whether it is in Quebec or British Columbia, so there should be a national consistency about how we treat victims of crime.

One of the points that grabbed my attention very much in the member's bill was the victim's right to be informed whether his or her assailant has applied for parole or day passes, been granted bail or escaped lawful custody. It is important. We know the fear that goes through one's mind that an individual is being released, whether or not that individual will be around, and how one should protect oneself. I think it should do that so the caution and the psychological accommodation that is needed can be done.

The right for sexual assault victims to be interviewed by an officer of the same gender: I think there is some—I am trying to find another word—comfort zone, a way for one to speak easily and openly about the affair and about what he or she feels could be done. I think it would be very helpful to the system.

I want to strongly support the member's bill and I hope that the members on the other side see it that way, although I heard the other member pointing out where certain things have been taken into consideration already under the Criminal Code. I know they are acting in that direction, but there is no bill that is perfect and I think this one brings it to the point if we examine all aspects of the bill and protect the victims in this situation.

1120

Mr Harnick: I am pleased to have the opportunity to make some comments about Bill 103. This bill is long overdue. The statistics show us that 250,000 Ontarians suffer loss, injury and emotional trauma every year as a result of being victims of crime. The victims have essentially been left unprotected by legislation. They are only protected by the good intentions of those who work in the fields of law enforcement and court prosecution. A victim today receives by way of obligation no explanation of court proceedings. A victim receives no explanation regarding compensation for victims of crime. A victim has no rights to privacy and protection and his right to reparation is ignored.

Police officers, health professionals, lawyers, crown prosecutors and judges need legislative guidance to ensure help to victims of crime. Legislation for this particular protection exists in every major jurisdiction in North America except Ontario. I point out that the better prepared a victim of crime is in terms of understanding the court procedures, in terms of being protected by the system while he goes through the court procedures, the higher the rate of success of the criminal justice system to deal with the prosecution of people charged with serious criminal offences.

I have taken a look at Hansard from 5 April 1990. The member for Welland-Thorold spoke at length about the Victims' Bill of Rights Act, and it is interesting, because his experience in private life was that of a criminal defence

lawyer. His job was to try to protect and defend those charged with criminal offences. Here is what he had to say about this particular subject:

"It is important that victims of crime can know that they are not going to be subjected to the whim of an institution as to whether or not they are involved in the process; that indeed they have a right to be involved in that process.

"It is important for victims to know and understand that it is not a matter of being extended a mere courtesy when they are regarded in a particular light, but it is a matter of having a right to be regarded in that particular way."

What the member quite correctly was saying was that police do what they can to ensure protection for victims of crime, but there is nothing mandating them to do that. Judges as well bend over backwards to be sensitive to victims of crime, to listen to impact statements, to listen to what victims say about sentencing and to listen to what victims' positions would be in the case of interim release, but there is no legislative obligation to do that. It is a common courtesy which sometimes, in an overburdened system, is lost.

Crown attorneys face the same difficulties. They try to be sensitive when dealing with victims regarding sentencing, interim release, or even the plea bargaining aspect of the criminal system, but there is no legislative obligation, and, again, in a system that is overburdened, it is sometimes difficult for them to act in the way victims would expect the justice system to act related to the plight that they find themselves in.

I heard the comments of the member for Simcoe Centre, and of course this act is not perfect, it can be improved, and I would hope that the members of this Legislature will refer this to the standing committee on administration of justice to make those improvements, but to make this law now, rather than wait any longer.

The bill certainly sets out the general principle that I think no one here would take issue with. Victims should be treated with courtesy, compassion and respect for their personal dignity and privacy.

The bill also sets out the obligations of the various parties involved in the justice system. It says that victims should have access to social services, health care and medical treatment, counselling and legal assistance responsive to their needs. It sets out the duties of the police. Victims should be informed at the time of the investigation of the crime by the police of the services and remedies available to victims of crime and the provisions of the Compensation for Victims of Crime Act, and victims should be informed by police of their investigations and of the charges laid. Victims should be informed of the role of the prosecutor and the victim's role in the prosecution, the court procedures that will relate to that prosecution, the dates that all of these various procedures will be occurring on, and the outcome of the various procedures should be explained to the victim.

The Askov case has caused considerable difficulty to the justice system in this province and we have heard in debates in this Legislature what some of those difficulties

have been. Chief Justice Dubin, in his recent court decision on the appeal of the Askov matters, stated that the Askov case has done more to undermine the public's confidence in the justice system than anything that has occurred. It is therefore incumbent upon this Legislature to try and restore some of the confidence that has been lost because victims have seen cases being tossed out of court and they do not understand why.

This particular bill can help re-establish the public's confidence in the justice system. Victims will know that they are being protected, that there is an obligation to protect them and that they will at least understand how the justice system works. I urge everyone in this chamber to consider the provisions of this bill. I acknowledge that the provisions may not be perfect, but we can send this bill to the justice committee, we can fine-tune it and we can have a piece of legislation that will bring back confidence to the public's perception of the justice system, and I think we can have a bill we will all be proud of.

Mr Winninger: I rise in support of this Bill 103 in principle, and I am just sorry that when this matter came before the justice committee last February and the Attorney General and the Criminal Injuries Compensation Board were hearing submissions from witnesses at the same time in regard to compensation for victims of crime, the member for Burlington South had not called quorum on that day so that the merits of that particular bill could have been considered earlier by the justice committee.

Certainly the member for Burlington South's bill complements several important initiatives that have already been taken. The victim impact statements have been mentioned, which assist a judge in determining an appropriate sentence or disposition for a convicted suspect; the surcharge which is imposed to help fund the witness assistance program; the prompt return of stolen property, so that a photograph can now take the place of an item of stolen property. There is the rape shield law, which has caused a lot of controversy but allows a victim of a sexual assault not to be subjected to demeaning cross-examination by defence attorneys; the child screen law, which allows children to testify behind a screen or by videotaped evidence, and finally, a limited form of restitution that is offered under the Criminal Code.

1130

In Ontario, many initiatives have certainly been taken at the administrative level. Information is provided to victims of crime where violence, death, financial loss or personal safety is concerned. Same-gender interviews are encouraged so that a victim of a sexual assault can talk to a member of the same sex about it. Special training, as has been mentioned by the member for Simcoe Centre, has been initiated for crown attorneys in wife, child and sexual assault cases. The victim witness program exists in several centres across the province to encourage intensive emotional support for victims of crime. Information on the court system and liaison services is available to severely traumatized victims of crime. There is the Criminal Injuries Compensation Board. As been mentioned already, in London, the child witness projects provide emotional support

for children, counselling, desensitization to the court system and information regarding the court system. In London, we are also pleased to have the police family consultants, who are police officers specially trained in domestic violence so that they can deal with victims in a sensitive fashion.

I have no problem with enshrining a so-called bill of rights for victims, as other provinces have done. I do, however, have some reservations. First of all, in regard to the provisions to seek civil damages and what is called a statutory presumption that sexual and spousal abuse gives rise to emotional distress, these create some problems in that a civil action may prejudice a criminal action or a criminal action can prejudice a civil action. We have to look at the interaction of the civil and criminal procedures very carefully indeed. Also, we do not want to see the criminal process used to collect a civil debt. Further, we do not want two different rules of evidence to apply in a civil case and in a criminal case in regard to the emotional trauma and the damages claimed for emotional distress in a criminal and also in a civil context.

While the views of victims are routinely solicited in matters of plea bargaining and sentencing, and especially where safety is concerned, problems can arise. The Askov decision has been mentioned, and there may be many circumstances where the victims of crime cannot be readily found. We would be loath to see any delay in the trials due to that. Furthermore, the crown attorney is not just a lawyer for the victim of crime; the crown attorney is acting in the public interest, and the victim's view is a very important factor in the interim release and sentencing, but certainly cannot be a decisive one.

As been mentioned by the member for Simcoe Centre, certainly there are no new sanctions in this bill to protect victims' rights. It is a declaration of principles. Perhaps the member for Burlington South should be looking at sanctions that might be imposed to ensure that victims of crime are protected.

These standards of conduct are certainly laudatory and perhaps represent the optimum standard for crown attorneys as they currently act them out. I certainly support strongly the fair treatment of victims and witnesses laid out in this act. We may have to seek some alternatives in the way the criminal justice system is at present responding to victims' rights. We have to ensure that the pendulum does not swing too far back the other way, so that criminal suspects who are presumed to be innocent until proven guilty are not prejudiced by the manner in which we protect our victims of crime. There is a fine balance, and I hope we can find that.

Mrs Fawcett: I would like also to commend the member for Burlington South for the work he has done in the last two years to bring attention to the plight of the many victims of crime.

His bill before the House this morning, Bill 103, the Victims' Bill of Rights Act, would enable the government to enforce the statement of the bill's principles and make it easier for victims to bring charges against their assailants.

While we know that crime has no bounds, knows no bounds and can happen to anyone at any age, as the critic

for women's issues, I feel it important to make a few remarks this morning because women, we know, can be particularly vulnerable when it comes to crime.

Certainly, there is no doubt that much time and attention and many dollars must be spent to deal effectively with the perpetrators of the various crimes, and I certainly have no quarrel with that. But what really is being done for the helpless victims who are very often women and children?

The horrible fear, trauma and devastating physical harm all victims go through surely deserves the serious attention of all here. This bill gives rights to all victims so they can be sure of assistance in putting these horrible experiences behind them and getting on with their lives.

The bill sets out certain principles that are to apply to the treatment of victims of crime. It also creates certain protections to apply to victims of crime when they are plaintiffs in civil lawsuits against criminals, and it recognizes criminal convictions in the civil actions. All of this we know is definitely needed. We want to prevent victims, if at all possible, from being treated perfunctorily or even abused or manipulated by the criminal justice system. It is sad that we have to even think in these terms, but we know of instances where this is definitely so.

It is the policy position of our party that we definitely support in theory the terms of this bill, and certainly we want to see some concrete actions. In fact, there have been references to the victim/witness assistance program, which effectively carries out the same functions as maybe the first part of Bill 103. This was the program established by the Ministry of the Attorney General in 1986 on a pilot project basis. Certainly the program does allow the ministry to take an active role in preventing the double victimization of victims and witnesses, thereby improving the effectiveness of the criminal justice process, as these persons would now be willing to co-operate in the process.

It also has the effect of improving the public perception of the criminal justice system, and I think Bill 103 then takes that one step farther. We certainly want to see fundamental steps taken to place trained individuals into the process with a specific role of addressing the needs of victims and witnesses.

The service provision was to have been expanded in 1991 to give more specialized and intensive services to groups such as children, the elderly, immigrant and sexual assault victims, who all need our definite support.

The expansion was to be taken in response to the increasing demand for the provision of victims' services expressed by victims' groups, the judiciary, the police and the crown attorneys, who all support these kinds of actions. Certainly, we would want to see the police mandated to inform victims of their rights. So often they are the forgotten element in the crime, which this bill does address.

Right now, these pilot projects certainly need to be expanded province-wide so that all victims across this province can know they are being treated fairly and in a safe manner.

I think this bill takes great strides by allowing victims to inform the courts of their emotional, psychological or physical suffering, which can allow them to contribute to the sentencing and early release eligibility of the accused,

alleviating to some extent that sense of exclusion and bewilderment they so often feel. Such initiatives may be a stepping stone to the wider acceptance of victims as an integral part of the criminal justice process. As I said, it is easy to forget the victim in all of this because, naturally, so much effort must be put forward in dealing with the criminal.

I think we know that legislation alone is not enough. What is most important is that there be an improved awareness program to ensure that victims of crime are aware of their legal rights and other recourses that are open to them. Urgently, right now, we need that public awareness. Primarily, I think we want to see widespread acceptance of the victims as an integral part of the process, as well as greater public awareness of the various recourses available to them.

Again, I am pleased to see this bill being brought forward and I know all of us in this party are happy to support it.

1140

Mr Carr: I am pleased to rise and add to the debate here this morning. Like the other people, I would like to commend my colleague the member for Burlington South for bringing forth this bill and allowing us to debate it. I think it is a worthwhile bill. I was very pleased by some of the elements of this bill.

Some of the things, of course, that have been talked about are things like sexual assault victims' rights to be interviewed by an officer of the same gender. I was fortunate enough last week, during Police Week, to spend time in Metro Toronto with the squad that handles sexual assaults. I had an opportunity to go into the room and I actually participated. They gave me questions, just as they would one of the victims, to see exactly what it was like. I was very pleased to see the fine work that is being done out there. But this is not happening in all jurisdictions, and I think it should. As part of this legislation, I think things like that would be happening.

I believe one of the key elements also will be the victim's right to consult with police and crown attorneys about proceedings and to present a victim impact statement. All too often in our justice system, the victim is the individual who gets left out. Unfortunately, that is the case, and this bill would go a long way towards eliminating that.

It is my hope that as a result of this, the standing committee on administration of justice—and I see some of my friends from the other side are here from that committee—will get a chance to go into detail with this bill. I hope that what happens all too often in this House, that when good legislation is tabled it dies on the order paper, will not happen. I would like a chance to take a hard look at what is going on and to hear the fine testimony that would be out there, because there is a long line of people who would like to come forward and explain their particular positions on this.

I think what we are talking about in the basic principles of this bill is really that the victim should be treated with the courtesy, compassion, dignity and privacy that should be there. All too often, because of the way our criminal justice system operates right now, the victim gets left out. This bill would ensure that does not happen. Victims

should receive formal, prompt and fair redress for the harm they have suffered.

In some of my other activities, I have gone out with the police. I have said that when a person is robbed, for example, and the police arrive on the scene, they find that sometimes the robbery is the most traumatic thing that has ever happened to that individual. In my area of Halton, we have two officers who go out and work with victims, and I think that needs to happen right across the province.

I think this is a good bill. I will be supporting it. Hopefully, the government opposite will allow it to go to the justice committee, where we can get into fine detail and put in some fine testimony from the people who would like to come forward. It is a bill that is long overdue. Let's move ahead; let's got on with it. I believe this is a fine piece of legislation, so I will be supporting it.

I would like to leave a couple of minutes for my colleague the member for Waterloo North to speak as well on this.

Mr Mills: It is a pleasure to rise this morning and speak to Bill 103 from the member for Burlington South. He has put an awful lot of effort and time into this.

I would like to say that no one is more sensitive to the issues of the victims of crime than this government. I would like to take an opportunity to read some of the things this government is doing to aid victims of crime.

The Police Services Act embodies the importance of respect for victims of crime and an understanding of their needs in a declaration of principles. As part of the Ontario sexual assault prevention program, the government has given core funding to 21 rape crisis sexual assault centres and the Ontario Coalition of Rape Crisis Centres, and it has been increased to over \$2.5 million.

There has been new funding for 10 new centres at a price of \$425,000; new funding for crisis counselling at \$1.7 million; diverse community outreach funding at \$670,00; enhanced regional services to rural communities of \$553,000; assistance for program administration at \$651,800; data management at \$120,00; interdisciplinary and discipline-specific police training on issues related to sexual assaults at \$110,000.

On 28 February 1991 in this House, the Solicitor General announced that \$4.2 million of the \$700-million anti-recession package will go towards victims' assistance. The program areas included a wife assault education program, organizational support for sexual assault centres, victim services support and northern Ontario and native community outreach services.

Police/community victim assistance services, such as the victim crisis assistance referral service, provide victims with short-term emotional and practical support and with referrals to needed services. Regional consultative services regarding community-based victim services are being added. The total cost of that is \$629,500. I am proud to stand here this morning in my place and speak to the wonderful efforts this government has taken, is undertaking and will continue to undertake in furthering the unfortunate victims of violence and crime.

In conclusion, I would like to commend the member for Burlington South. The bill's general direction conforms

to existing ministry and government commitments to the victims of crime, and the stated principles reflect current legislation, current programs and current policies.

1150

Mrs Caplan: I would like to start by thanking the member for Durham East for the very clear listing of initiatives of the government, most of which were started and begun over the last five years by the previous government. What it shows is that in fact these issues are not partisan issues.

I want to reiterate, as I speak in support of the principle of this bill, the fact that private members' hour, as I said when I was speaking to an earlier piece of legislation, is an opportunity for members of the Legislature individually to think. This is not the time when they have to come and defend the government. This is not the time when they are bound by caucus discipline. This is the time when, if there is a good idea brought forward by a member of the Legislature, they have the opportunity to think about it, speak about it, vote on it in principle, send it to committee, explore it.

Our rights as individual members are to represent our constituents, to act and speak about the public interest, to act in the best interests of the people of Ontario. Today members have seen an example of two bills, one by my colleague the member for Cornwall, a very good suggestion that would give us an opportunity to explore what would happen if we encourage the government to implement a graduated gas tax in the Cornwall area by exempting it from the budget initiative. Here my colleague the member for Burlington South has brought forward again a proposal for victims' rights legislation. Ontario is the only province in Canada without that legislation.

Today's approval in principle would allow this bill to go to committee for further discussion, for further exploration, for refinement, and I will say very clearly that I believe the piece of legislation we see before us today needs significant improvement, but in principle I support it. I think it is a good idea. I think having a chance to discuss this and debate it at committee would be in the public interest of my constituents in the riding of Oriole and in the public interest of the people of Ontario.

I would urge all members of this Legislature, especially during private members' hour, when we can free ourselves from the partisanship of our caucus discipline, to think about the proposals that are coming forward and not just feel that they have to defend the government record—

Interjections.

Mrs Caplan: Whether it is the record, I say to the member for Durham East, of the previous government or the government before that or the present government today, they should not feel they have to defend to the death the promises their party made during the election, which nobody else in their caucus is feeling the need to defend.

The members opposite have the opportunity as members of this Legislature to stand up and support good ideas when they come from any member of this House. I have been really disappointed in the last few days during private members' hour that members have not done that, that the

members of the government caucus seem to take the opportunity in private members' hour to defend the government. It is not necessary to do that during private members' hour.

This is a good idea that the member for Burlington South has brought forward for debate in this House. This is the kind of initiative that members during private members' hour can put forward for thoughtful debate. My colleagues have put on the record, I think, some very sound statistics and data and initiatives and programs that could be helpful, and I would hope that as private members, the members opposite would give this their consideration, their thoughtfulness and their support.

I would hope we will see improvements over the course of the next few months and years as we work together in this Legislature in the kind of attitudes—I see members opposite laughing. This is not funny. These are serious issues of debate. I see the member for Ottawa Centre laughing about this. She cares about victims' rights, or she should care about victims' rights. I thought she cared about victims' rights and here she is today laughing during a debate in private members' hour rather than seeing this as an opportunity to deal with a difficult and important issue.

Mrs Witmer: I would like to take this opportunity to speak to Bill 103, the Victims' Bill of Rights Act, 1991. I want to congratulate my colleague the member for Burlington South, who has been committed to the principle of a victims' bill of rights since before 1989. I also want to express my appreciation to him for the tremendous consultation that has taken place. There has been consultation and changes made to this bill. He has consulted with victims' organizations, women's groups and members of the legal community throughout Canada and Ontario.

We have before us today a bill that for the first time in Ontario's history would entrench the rights of victims of crime into the province's justice system. This is a very important bill for women in this province, and as the critic for women's issues for my party, I am very pleased to have this opportunity to support this bill. It is especially important for those women across the province who have suffered from sexual assault and spousal abuse. Unfortunately, their numbers are far too many.

We need to make the justice system in this province much more responsive to their immediate and ongoing needs, and in talking to these women in my own community and across the province, this is not happening at the present time. They do not have the assistance and the support that is so desperately needed at a time of crisis. Women throughout this province deserve our support. We should support today Bill 103. We cannot turn our backs on those women who suffer daily from sexual assault and spousal abuse.

Mr Jackson: I would like to thank all members who participated in today's debate on Bill 103. I would like particularly to thank those members who have been here before and seen this bill on two previous occasions tabled in the House. Many of them are frustrated that the entrenchment

in law of its principles has not become a reality in this province.

I am reminded that when the New Democratic Party was in opposition, the then Attorney General critic, the member for Welland-Thorold, referring to my bill: said "We applaud this legislation. It is long overdue. It is important that it be pursued diligently by the government." That is to say, that it not be set aside and put on the back burner and be the subject of delay.

I am pleased to advise the House that when I talked to the new Attorney General for the government he said he would support it going to the standing committee on administration of justice. I am now advised by several members of the NDP caucus that they have been instructed to vote against that.

I am quite disturbed and concerned that victims across this province are going to see yet another delay in the entrenchment of rights for victims in this province. The last province in this country to have a government working on this bill is this province of Ontario, with 10 million people.

I can only say that for all those victims who have approached me to share with me their own personal pain and to allow me to understand what they are going through, to allow me to bring forward this bill, I am hopeful that in their name the members of this House will set aside their partisanship and will think about their constituents and consider bringing forward this kind of legislation, which is long overdue. Their cries for justice and compassion should be heard by all members of this House. I ask all members to bring in a victims' bill of rights for Ontario and have this referred to the justice committee of this House so it can become a reality this fall.

1200

CORNWALL AREA ECONOMIC PROTECTION ACT, 1991

LOI DE 1991 SUR LA PROTECTION ÉCONOMIQUE DE LA RÉGION DE CORNWALL

The House divided on Mr Cleary's motion for second reading of Bill 102, which was negatived on the following vote:

La motion de M. Cleary pour la deuxième lecture du projet de loi 102, mise aux voix, est rejetée :

Ayes/Pour-21

Arnott, Bradley, Callahan, Caplan, Carr, Cleary, Cordiano, Cunningham, Daigeler, Fawcett, Harnick, Jor-

dan, McClelland, McLean, Murdoch, B., O'Neill, Y., Phillips, G., Sullivan, Turnbull, Villeneuve, Witmer.

Nays/Contre-34

Abel, Cooper, Coppen, Dadamo, Duignan, Ferguson, Fletcher, Frankford, Gigantes, Haeck, Haslam, Hayes, Hope, Huget, Johnson, Klopp, Laughren, Lessard, MacKinnon, Mammoliti, Martin, Mathysen, Mills, Morrow, O'Connor, Perruzza, Silipo, Sutherland, Waters, Wessenger, White, Wilson, F., Wilson, G., Wood.

VICTIMS' BILL OF RIGHTS ACT, 1991

LOI DE 1991 SUR LA DÉCLARATION DES DROITS DES VICTIMES

The Deputy Speaker: Mr Jackson has moved second reading of Bill 103.

Motion agreed to.

La motion est adoptée.

Mr Jackson: Mr Speaker, I request that the bill be referred to the standing committee on administration of justice.

Clerk Assistant and Clerk of Committees: Mr Speaker, the majority is not in favour of it going to the standing committee.

The Deputy Speaker: The majority of the House not being in agreement with the request of the member, this bill is referred to the committee of the whole House.

Bill ordered for committee of the whole House.

Le projet de loi est déféré au comité plénier de la Chambre.

Mr Jackson: On a point of order, Mr Speaker: Could Hansard record that it was all NDP members who stood against referring this to the standing committee on administration of justice?

Mr Mills: On a point of order, Mr Speaker: I believe the third party asked for it to be on the record that the NDP is against victims of violence.

Interjections.

The Deputy Speaker: Order, please. I will not entertain any more points of order. Thursday mornings are normally nice and quiet. Let's keep it this way.

The House recessed at 1211.

AFTERNOON SITTING

The House resumed at 1330.

MEMBERS' STATEMENTS

CAPITAL FUNDING FOR SCHOOLS

Mr Callahan: On 9 August 1990 the member for York South, now the Premier, visited a small community in my riding called Huttonville to rail against the Liberal government about the lack of capital education funding allocated in my riding to address the problem of portables at Huttonville Public School. Indeed, the headline in the Toronto Star over the account of his visit was, "Liberals Shortchanging School System."

The member informed the public that the Peel Board of Education is the largest board in Canada. He is quite right: It is 93,000 strong and 18,000 of these children are in portables. The figures are even higher this year, but the member for York South said that although Peel asked for \$81 million for new schools and additions, it received approval for only \$31 million. It seems as though the Premier, on his way to Huttonville and to the premiership, is not honouring the promises he made there.

While we are at it, I wonder how the students and teachers at Cardinal Leger High School, the first Catholic high school in Brampton, feel about the Premier's promises. Although they were ranked number two on the priority list of the Dufferin-Peel Roman Catholic Separate School Board, the Minister of Education, in her usual way, interfered with the autonomy of our local Catholic board, knocked Cardinal Leger out of the funding and replaced it with a school lower down on the list. The ministry is becoming more centralized and heavy-handed, and as we have seen with Dufferin-Peel and in Windsor, she is not beyond intervening and setting local board priorities rather than leaving it to the elected officials to do so.

TRAFFIC SIGNALS

Mr Arnott: The subject I want to bring to the attention of the Legislature today pertains to the urgent need for traffic signal lights at the intersection of Highway 9 and Allan Road in the village of Clifford. I first raised this issue with the Minister of Transportation in a letter dated 10 October 1990, in which I expressed my profound concern about the safety of this intersection.

At my first meeting with the minister on 23 October 1990 I raised the matter again, expressing my concern. This was followed up by another letter to the minister on 24 January 1991. In response, in a letter dated 11 April addressed to the village of Clifford, some three months later, the minister indicated he would not provide a special subsidy for these traffic lights.

Highway 9 is a connecting link highway in a major route for provincial traffic travelling to the cottage country and the Bruce Peninsula. It cuts the village of Clifford in half. During the summer months the volume of traffic using Highway 9 increases dramatically, and as a result local residents of the village are sometimes forced to wait

up to 20 minutes to get across the main street of their own home town.

To illustrate the frustration and inconvenience this causes to local residents, I would like to quote from a letter I received from a five-year-old girl, Megan Douglas, who wrote about the weekend traffic situation:

"Last Saturday afternoon me and Matt were trying to cross the road. Cars were coming. We waited for a long time. So we had to turn around and go home. I was mad cause I wanted to see my mom who was working at the municipal office. The dog was with us."

Some day a child like Megan is not going to turn around and go home, but will attempt to beat the traffic, very possibly with tragic results. Those who have dragged their feet on this issue will be responsible.

SERVICES FOR THE DISABLED

Ms M. Ward: Last Friday I had the pleasure of visiting the Hugh MacMillan Rehabilitation Centre in North York. Today I would like to pay tribute to the management and staff of the centre for their excellent work and innovation. The centre serves Ontario children and young adults who have physical disabilities.

I was particularly impressed by the augmentive communication services. A charming young man of age five told us a story using Blissymbolics. Microcomputers are also used extensively as a communication and learning tool for the disabled.

The centre has a shop which builds wheelchairs and other mobility devices tailored to the needs of the clients. The staff explained how important proper seating is, since the chair becomes an extension of the person.

The centre also designs and builds artificial limbs and orthotic brace devices. One client, who was there for a final testing of an artificial hand, to be mounted on his wheelchair, demonstrated to us how he would operate this using movements of his forehead.

It was by coincidence that my visit followed the announcement by the Minister of Citizenship of \$400-million funding to improve services for young people with speaking and writing disabilities. The Hugh MacMillan Rehabilitation Centre is one of 15 centres to receive this new funding. The centre is doing excellent work to improve the lives of the disabled and increase their independence. This is proof that the funds are well spent.

ONTARIO HUMAN RIGHTS COMMISSION

Mr Curling: It is becoming increasingly clear that this government does not intend to deal seriously with the problems at the Ontario Human Rights Commission. It is now obvious that this government has no plan to get the commission back on track so that victims of discriminatory practices will have reasonable access to a fair hearing and redress.

It is also evident that the minister responsible for the Ontario Human Rights Commission has not read the reports on the commission to which she so often refers. If she had, she would be aware that they all cite the need for

additional staff as an indispensable prerequisite for the resolution of the case backlog problem.

The NDP has always insisted that the commission was underfunded. They had a chance, in their first budget, to address this. They did not. Instead, they froze funding to the commission at last year's level. Now, as of October of this year, the commission likely will have 10 fewer staff to deal with the case backlog. The NDP decision to freeze funding makes addressing the key recommendation of several independent reviews, staff enrichment, next to impossible. Increased funding under the previous government resulted in the hiring of new staff and the development of a case management plan, which has helped the commission to make some steps towards dealing with the backlog.

This minister has done absolutely nothing to deal with this important justice issue, nor has she addressed the troubling reports of discrimination within the commission itself. The provincial Ombudsman, in a recent report on the Ontario Human Rights Commission, expressed great concerns about the backlog and called for the government to take immediate action. When will the minister take meaningful steps to ensure that the Ontario Human Rights Commission can fulfil its mandate?

DEVELOPMENT APPLICATION

Mr B. Murdoch: Yesterday, I brought to the attention of this House the issue of the Minister of the Environment ignoring the advice of her staff and overruling their decisions. But I would like to point out that it is not only she who is at fault. The matter would never have reached the point it has without the contribution of a very inept staff of the Ministry of Agriculture and Food.

This House will remember that Noah and Linda Pierce applied for a development permit to build a home and create a working farm for their daughter and son-in-law. They proposed to build on the part of the land which was designated as class 7 land and allow the children to keep the house, barn and good farm land in one unit. The hearing officer on the appeal noted that this proposal would secure a farm home for the young couple in which they could start a family and continue farming, both his parents' property and this farm, at a time when it is very difficult for young farmers to become established.

One would think that the Ministry of Agriculture and Food would be encouraging such ventures. It appears they are not. The OMAF representative said the case did not comply strictly with Food Land Guidelines, but the hearing officer stated that it does comply with the spirit and purpose and, in any event, the guidelines are just that, only guidelines, not regulations. After reviewing this case, I am astounded that the Ministry of Agriculture and Food, which supposedly speaks for farmers, could make such a serious error in judgement.

SHELTER FOR WOMEN

Mr Winninger: I am pleased to speak today of an initiative in my riding that has been greeted with welcome anticipation, the creation of an additional women's shelter that the women in my riding will have convenient access to. For many years, Women's Community House, a shelter

in London for battered women, has had to place many women outside of London simply because there were not enough beds in London. Now a second centre has been announced to serve women and their children fleeing from violent situations.

The new centre, with 12 bedrooms, will provide an additional 30 beds for London. Women's Community House is raising \$500,000 for the project. An additional \$480,000 for construction is coming from the federal government. The operating costs will be shared by the provincial government and the city of London. This is a fine example of how all levels of government can work together to provide refuge to victims of domestic violence.

As members know, this government, in its budget, has committed an additional \$12 million for new beds and enhanced services in emergency shelters and other improvements to services for women who are victims of domestic violence.

As a concrete example of this government's dedication to protecting the lives of women, the Minister without Portfolio responsible for women's issues announced on 8 May that in the coming year a \$2-million increase in funding will be made to reduce the long waiting list. I am proud that Women's Community House in London has taken active steps to meet this challenge.

1340

PARKDALE COMMUNITY FESTIVAL

Mr Ruprecht: It is with great pride that I would like to tell the members of this Parliament about the Parkdale Community Festival sponsored by the Parkdale Village business improvement area. This will be the largest street festival in the history of Parkdale.

Our community is turning the corner on drugs and crime. In fact, the president, Mr Stancheson, will be presenting some awards to the 11th and 14th police divisions for their commitment and good work to keep our streets safe from drug pushers, pimps and criminals. Our men and women in blue deserve a lot of credit, especially in the Metro area, as they place their lives in danger while helping our communities to stay drug-free.

I am pleased to invite all the members of this House to participate in the opening ceremonies in order to experience the quality and friendly personality of Parkdale's residents and businesses.

ONTARIO SCHOLARSHIP AWARD

Mrs Cunningham: It was with shock and disappointment that we learned yesterday of the government's plan to eliminate the monetary award that accompanies the Ontario Scholarship Award Certificate. Since 1959, when the Ontario scholarship program was established by the Progressive Conservative government, it has provided an incentive for thousands of Ontario high school students to work harder and obtain a high standing in their final year.

Today in the member's gallery are four students from the riding of London South who are visiting the Legislative Assembly. I would like to advise the Minister of Education of their comments:

"The \$100 was a symbol that we were being recognized by the Ontario government for excelling in academics.

The elimination of this will discourage students from pushing a little harder for excellence." The next student said, "Although the \$100 is not a lot of money in today's society, every bit helps when you're trying to put yourself through school." The third student advised us: "We weren't consulted. I heard it for the first time on the news last night." The final student said: "It was an incentive to do well. It encouraged us to excel."

An Agenda for People did not include disincentives for young people to excel. The people's agenda promised an opportunity for input and communication. Students are now preparing for their final exams. The Minister of Education's announcement could not have come at a more unfortunate time.

CAPITAL FUNDING FOR SCHOOLS

Mr Bisson: I would like at this time to give congratulations to the Ministry of Education, along with a few other things.

As many members are aware, the capital allocation programs were announced last Friday for a number of communities around Ontario. A couple of very long sought after programs in schools that the communities and the boards of education were trying to put together for years finally came to fruition, one in particular being O'Gorman High School, basically known as the portable high school. There were some 20 portable rooms utilized in that high school.

The allocation program will realize a dream of the students, the community and the parents, who were very concerned about the state of their particular school. As well as that, there was another bit of good news about another program that, for some 60 years I might say, the Timmins Board of Education was trying to get. It was the creation and building of an English public school in the region of Mattagami. It was something that was long sought, and I tell members it came as very good news.

Along with that, there have been some interesting developments within the riding itself. We are seeing some renewed optimism within the riding because of the types of programs this government is doing in attacking the recession by putting the bucks where they are needed, in our infrastructure. Now the mining sector is looking at some more development up in our region and I hope to be able to come back to the House with some very positive announcements on the mining sector on my next occasion.

VISITOR

The Speaker: I would like to invite all members to welcome to our chamber this afternoon the former member from the former riding of Halton-Burlington, Don Knight, who is seated in the members' gallery west.

STATEMENTS BY THE MINISTRY

RENT REGULATION

Hon Mr Cooke: It is my pleasure to be introducing legislation today that fulfils this government's commitment to provide real and permanent rent control for the tenants of this province.

The Rent Control Act, which I am tabling this afternoon, is the result of broad consultation with tenants, landlords, municipal officials and many others across the province, ranging from representatives of the building trades and financial institutions to antipoverty groups. I appreciate their participation in the development of Ontario's new rent control system. I certainly recognize the genuine emotion this issue elicits and I thank the tenants and landlords who shared their personal experiences and ideas with me.

The formal consultation started in February. I released a discussion paper designed to draw out people's views on how rent control could best be brought to this province. More than 20,000 copies outlining various options on the implementation of rent control were distributed. All members of this Legislature received the options paper, which was tabled with the standing committee on general government.

We also sent out a newsletter to nearly one million households explaining in plain, everyday language what the rental control options were all about. The newsletter included a questionnaire which more than 17,000 people filled out and returned to the ministry. This provided valuable information about the everyday concerns of individual tenants and landlords.

Then, in well-attended public meetings and smaller roundtable sessions in 20 communities across the province, some 1,300 people participated in a discussion about the principles and proposed specifics of a new system of rent control for Ontario.

I personally hosted seven public meetings and a number of smaller roundtable discussions. More than 300 people shared their ideas, concerns and experiences directly with me, with my parliamentary assistant, the member for Niagara Falls, and with my caucus colleague the member for Wentworth North.

We also had some 25 meetings with groups having a special interest and expertise in rent control issues. Ministry staff also met with members of these groups to get their input into the proposed system.

The legislation I am tabling today shows we have listened and responded to what we heard during the consultation process. I believe the product is a fair and workable system for everyone.

We have listened to tenants, and we will address their fears of high rent increases and poorly maintained buildings. We have heard the concerns of landlords of small buildings, and the legislation recognizes their situation. We have heard the frustration of landlords and tenants who want a simpler, more understandable system which responds more quickly to their cases.

We have listened to municipalities, building trades, landlords and tenants, all of whom have impressed upon us the importance of capital repairs in maintaining this province's aging rental housing. We have heard about the problem of supplying much-needed rental accommodation in communities across the province.

We have listened and we will now act. We will provide a rent control system that can work in Ontario.

I would like to outline the most important features of the proposed legislation.

At the heart of this legislation are measures intended to ensure that tenants are protected from high rent increases. These measures also provide more certainty for both landlords and tenants who want to know, "How much will the rent go up?"

Under the new system of rent control, annual rent increases will be based on a rent control index. This index will reflect the inflationary costs of running a rental property and will be updated annually. It will be averaged over a three-year period to lessen the impact of sudden increases in inflationary costs.

The index will provide the basis for setting an annual rent control guideline. The guideline will combine the rent control index I have just described and a 2% allowance for expenditures on major repairs, usually called capital expenditures. I will repeat, the rent control guideline will consist of an index based on inflation plus a 2% allowance for capital repairs.

1350

Landlords will be allowed to raise the maximum rents by up to this guideline without applying to the ministry. We will calculate two guidelines each year, one for large buildings and another for small buildings. The guideline for small buildings, those having six units or less, will be higher. This is because we know that small buildings are more expensive per unit to operate than larger buildings. This is the first time that rent regulation legislation has recognized the different realities facing owners of small and large buildings. We think this approach is fair and innovative.

Here is an example of how the new guidelines would work. If the two guidelines had been calculated for this year, the 1991 guideline increase for large buildings would be 4.6% and the guideline for small buildings would be 5.4%.

What about increases above the guideline? There are only five situations in which the landlord can apply to increase rents by more than the guideline, and any increase permitted will be moderate—no more than 3% above the guideline in one year. Let me make this point clear. In Ontario, the increase in maximum rent will never be more than the guideline plus 3%. Ontario tenants will have the best protection in Canada. The days of 15%, 20% and 50% rent increases are over.

Rent will be allowed to rise above the guideline for the following reasons: significant increases in municipal taxes or in the cost of heating, hydro or water. The fifth and final reason is capital expenditures.

Under the new system, increases for major capital repairs will be allowed only if they are for the following: to maintain the structure and soundness of the building; to meet health, safety and environmental standards; to maintain plumbing, heating, mechanical, electrical, ventilation and air-conditioning systems; to provide access for people with disabilities, or to increase energy conservation.

When landlords apply for rent increases to pay for such significant repairs, they will have to demonstrate that the repairs are not the result of neglect. Tenants and landlords may agree to do other improvements in individual apartments, but rent increases will not exceed 3% above the guideline.

When landlords apply for rent increases above the guideline, they must demonstrate that the 2% allowance for capital expenditures provided in the annual guideline is in fact being used for capital expenditures. In other words, rents cannot increase above the guideline if the landlord does not use the money she or he already received for capital repairs.

Landlords will be allowed to carry forward to the next year rent increases resulting from excess capital costs. Owners of large buildings will be able to carry forward for one year only; owners of smaller buildings will be able to carry forward capital costs for two years. The total rent increase for any one year, however, cannot exceed the guideline plus 3%. This means tenants will no longer be required to finance luxury renovations such as new marble lobbies, as they have had to under the old rent review system.

The 2% allowance for capital expenditures included in the annual guideline plus the annual 3% increase that landlords may apply for provides enough funding for the necessary repairs to Ontario's rental housing. I believe this provision speaks to the fairness of the legislation.

In just a moment I would like to speak about the maintenance of apartments, but at this point I would like to touch briefly on how the new legislation treats capital expenditures done during the transition from one system to another. We heard a lot about this issue during the consultation and we have responded. In moving from the current system to the new one, we plan to allow landlords to claim for capital expenditures which have been substantially completed during the past 18 months. The rent increases which will result will be limited to 3% above the guideline.

I want members to know that this new legislation will not allow landlords to use most of the reasons they have used under the old rent review process to pass on costs leading to high rent increases. I am talking here about such provisions as financial loss, economic loss and increased financing costs. We know these were often used to make tenants pay for the cost of landlords' investments. The Rent Control Act I am introducing will not permit rent increases above the guideline for any of these items. I believe that apartments, rented town houses and so on are people's homes, not simply someone's investments or real estate holdings. Our legislation reflects that view.

We know tenants are worried about high rent increases, but we also heard concerns about inadequate maintenance. As well, municipal officials and many responsible building owners were annoyed and even embarrassed that certain landlords do not feel obligated to provide decent accommodation. So we have decided to get tough about maintenance.

Under the new system, landlords will not be able to claim even the guideline rent increase until they comply with outstanding work orders against their buildings. I am confident that landlords who act on their work orders—and I would suggest that means most of the landlords in this province—will agree this is a significant and welcome improvement over the previous law.

The legislation I am introducing today will bring about important changes in administrative and enforcement

procedures. Simply put, we are trying to make the rent control system more flexible and responsive.

Under rent control, landlords and tenants will have the right to resolve their differences through a hearing if they so choose. The new system will also provide them with the option of an administrative review without a hearing if they prefer. A decision made by a rent officer may be appealed to the courts on a matter of law only. This will make for a quicker decision-making process for both landlords and tenants.

We see a strengthened role for the rent registry under the new system. The registry is already gearing up to provide more comprehensive information to landlords and tenants about legal rents. As well, the legislation strengthens rent control enforcement by creating tough penalties and new offences.

Now I would like to address the concerns about rental housing supply which were raised by the development and construction industries and the financial institutions. As most members know, there is a real need for more rental accommodation in many parts of the province. While our government is committed to alleviating the shortage through activities in the not-for-profit sector, we also acknowledge private industry's essential role in providing rental housing. To encourage future investment in this area, we have decided to exempt new rental buildings from rent control for a period of five years. This exemption will apply to rental housing built under a building permit issued on or after today. The five-year exemption period will start on the day the first unit is rented.

Let's be clear. The exemption is only for the first five years of any new building, but we believe this will give landlords a chance to establish viable rental housing and help rent levels settle in. This opportunity gives those wanting to build a chance to go for it. It can stimulate much-needed investment and employment in the development and building sector and create more homes for people to rent.

Before concluding, I want to talk about what is not included in the legislation and why.

Many people came forward to talk about whether so-called care facilities should be covered by rent control. Thousands of older people who live in rest and retirement homes are affected. This is a complex issue. Dr Ernie Lightman is already studying it. We will wait for his report before we make any decisions in this area.

Concerns about rent control coverage for people living in social housing were also raised during the consultation process. Our government intends to deal with those questions through avenues other than rent control legislation.

This is landmark legislation for the people of Ontario. This streamlined rent control system will bring certainty, security and stability to the rental housing market. It will bring us closer to reaching the goal of affordable housing for all, and ultimately to fighting poverty in this province.

Allow me to recap briefly: Tenants will have real protection from high rent increases. Landlords will have a system that allows them to plan for and provide the capital repairs that buildings need. If costs go up for taxes and utilities, landlords can get relief. Stricter enforcement of

standards will lead to better-maintained rental housing and the preservation of existing stock. The private sector will have an opportunity to create new rental housing accommodation. Everyone will benefit from a responsive decision-making process.

Nearly three million people are looking to this Legislature to make decisions about rent control that affect their homes, their wellbeing, their security, and these are important decisions. They deserve the immediate attention of members of the House and a review of a standing committee of the Legislature.

The legislation I am tabling today is the result of an extensive consultation process. People across the province have had a real opportunity to participate in the creation of this government policy. I believe the product of that consultation members have before them today is fair to tenants and landlords. The legislation protects tenants and responds to some of the concerns of landlords and the financial community. I look forward to discussing its merits with members of the Legislature for second reading and during the summer. I would like to invite members to study this legislation and I hope and expect to hear positive suggestions for any improvements.

I would also like to personally thank the Ministry of Housing staff who have worked flat out on this legislation for months across the province, and my own personal political staff.

1400

Hon Mr Wildman: Mr Speaker, I have a short, important statement that may not be quite finished at the end of the statement time. I ask for unanimous consent that I could complete my statement.

The Speaker: Is there unanimous consent for the minister to continue beyond the 20 minutes?

Mr Eves: On that point, provided we are getting an appropriate amount of time, that would be quite acceptable.

The Speaker: If it is agreed to, of course, I will keep a sharp eye on the clock and allow an appropriate additional amount of time to both opposition parties.

Agreed to.

NATIVE SELF-GOVERNMENT

Hon Mr Wildman: I am extremely pleased today to tell this House that the government of Ontario and the first nations in Ontario have reached an historic accord on aboriginal self-government.

We and the first nations will now deal on a government-to-government basis under the terms of our new Statement of Political Relationship which I am providing to members of this House. The statement was approved yesterday by the chiefs of the first nations throughout Ontario, meeting at the 17th annual All-Ontario Chiefs Conference at Ohsweken in the Six Nations of the Grand River territory.

Many members will be aware that the Premier and I spent several hours at the conference on Tuesday discussing this statement and related matters. We are now making arrangements for the formal signing of the document that

is without question the most important development to date in Ontario's relationship with the first nations.

Through the Statement of Political Relationship, Ontario now formally recognizes the inherent right of the first nations in Canada to be self-governing, and Ontario is committed to facilitating the exercise and implementation of first nations government.

As members will know, this government has endorsed the concept of aboriginal people having an inherent right to be self-governing. We have also adopted the recognition of the inherent right to self-government as a major principle of our native affairs policy. At the same time, we have committed ourselves to negotiating statements of relationship with aboriginal people to guide us in the negotiation of self-government and other matters.

Today we see the result, the first such statement negotiated with the chiefs of Ontario as the representatives of the first nations of Ontario. This statement is a very powerful document. It will dispel any doubts about the relationship of the first nations with Ontario. In the statement, we recognize that first nations are distinct nations, with their governments, cultures, languages, traditions, customs and territories, and we recognize that our statement with the first nations will be based on aboriginal rights, including aboriginal title and treaty rights affirmed in the Constitution Act, 1982. These include rights formally recognized in the Royal Proclamation of 1763, through which the British crown recognized aboriginal title to most of what is now North America, and in other treaties and agreements between the crown and aboriginal people.

We agree with first nations that their inherent right to self-government flows from the Creator and from their occupation of the land for many centuries before non-aboriginal people arrived in what is now Canada.

We also agree that under the Constitution of Canada, the first nations have the inherent right to self-government within the Canadian constitutional framework, and we are committed to working within the constitutional framework to make that right of self-government a reality. We will institute self-government arrangements with the first nations through treaties both old and new, through constitutional and legislative reform and through agreements negotiated with first nations.

The Statement of Political Relationship recognizes that Ontario's authority is subject to constitutional limits. We are not attempting to replace the government of Canada in the lives of the aboriginal people. The statement does not affect Canada's responsibilities nor interfere with the special trust relationship between the federal government and aboriginal people.

There are many areas where Ontario can and does play a major role in the lives of aboriginal people. There are issues involving crown land and natural resources, health care and social services over which Ontario has authority. Within that authority, we can make fundamental differences in the quality of life of aboriginal people. This includes a transfer of powers in certain areas in order to allow aboriginal people to once again make decisions in the day-to-day matters that affect the most basic aspects of their lives.

Our recognition of the inherent right to self-government within the constitutional framework underscores our determination that aboriginal people will be at the table in future constitutional talks. We believe the first nations must be accorded the status of an order of government which warrants a full partnership in Confederation.

We now have a framework which will enable the first nations of this province to regain a large measure of the respect and control of their own lives which has been taken from them. In return, we shall have a fairer, richer and more equitable society.

The Speaker: Now that we are all relaxed and happy, there are two items of business. First I draw to members' attention that we used an additional one minute and 23 seconds. I will add one minute to each of the opposition parties, giving a total of six minutes instead of the customary five.

VISITOR

The Speaker: At the same time, I invite all members to welcome to our midst this afternoon the former Prime Minister of St Kitts, Lee Moore, who is seated in the members' gallery east, if Mr Moore would stand. Welcome.

1410

RESPONSES

RENT REGULATION

Ms Poole: First of all, I would like to thank the Minister of Housing for arranging a preliminary briefing just prior to the announcement. I do appreciate that courtesy.

The biggest surprise about today's announcement from the Minister of Housing is that he has attempted to give the old rent review system a tune-up rather than deliver the new vehicle he promised, because what the minister has announced today is not rent control, it is still rent review. In fact, it is the very system he has denounced and reviled in this House many times. I have already decided on my first amendment to the legislation, to change the title of the bill from the Rent Control Act to the Rent Review Act, Part II.

The minister is aware that for a number of years I have supported a tightening up of the rent review system. In particular, I have supported a cap on cost pass-throughs for major necessary repairs, so I am personally very pleased and commend the minister for following this particular route. I am sure much of the debate over the next few months will revolve around whether a 3% cap is indeed appropriate. Will it protect tenants from excessive rent increases and at the same time preserve our aging housing stock?

The worst problem the Minister of Housing is going to have to deal with is the very real sense of betrayal over broken rent control promises the tenants of this province are going to feel today. When he was opposition Housing critic, both before the election and during the election, the Minister of Housing promised that the NDP would deliver—and I will quote—"real rent control: one rent increase per year tied to inflation, and nothing else."

So imagine the shock of tenants across this province when the new system is unveiled and the minister will not or cannot deliver on his election promise. Imagine the surprise of our party, which has always supported encouraging the private sector to build, but never believed the NDP would exempt new buildings from rent review. Imagine the surprise of tenants who find that the NDP, which has always promised full rent control, has introduced rent legislation that does not cover new buildings.

The Minister of Housing must now admit that when he made this election promise, either the NDP was incompetent, it did not know that its platform was unworkable because it had not done its homework and did not know very much about the housing field; or, if it rejects that particular hypothesis, then it has to admit it was opportunistic, that the NDP knew its promise was unworkable but made it anyway to get votes and to win the election.

So what a choice. It has to choose. Was it incompetent or was it opportunistic? Your choice, Mr Speaker.

Interjections.

The Speaker: Come to order, please.

Ms Poole: There are several promises we in the Liberal caucus expect the minister to keep. First of all, the minister has promised us a simpler system that everyone can understand and legislation that everyone can comprehend. So we will be monitoring this legislation very carefully to see if it meets the minister's promises to reduce the bureaucracy, cut through administrative red tape and to provide rules that will be clear, fair and not open to misinterpretation.

Already, there are signs the system will not be simpler. In fact, as the minister just announced, the legislation proposes two different guidelines, depending on the size of the building. This will only add to the confusion.

The other thing the Liberal Party will be insisting upon is a meaningful consultation process with full public hearings and with the government willing to listen. I said meaningful, not the mockery we endured in Bill 4, where 150 people were left on the waiting list for public hearings, and not the travesty of the pre-consultation process for this legislation.

In conclusion, housing is of critical importance to the people of this province. They will be the ones to ultimately decide if this has been a successful D-Day for the Minister of Housing.

NATIVE SELF-GOVERNMENT

Mr Elston: Just a brief response to the continuation of the efforts of this minister who, it has to be said, has put real effort behind reaching a consensus with the first nations of the province. I would like to say that while I have read the Statement of Political Relationship, there are all kinds of political relationships that speak much more directly to the real issues that have to be dealt with in a real and timely way.

During the course of our time, we had an opportunity to begin new programs to assist the first nations. We in fact reached a settlement on Manitoulin with respect to land claims, and we are expecting there will be a timely consideration and continuation of those efforts. While they have

been enumerated by the minister—native economic development, resource agreements, social service provision and land claim settlement—really we hope now they can be forged ahead on by this minister, who we regard as being in the vanguard in his party in trying to reach settlements.

RENT REGULATION

Mr Tilson: To the statement of the Minister of Housing: This legislation is not rent control, as will be said over and over. It is rent review. It is worse than the last system created by this government over here, the previous government, the Liberals.

When most jurisdictions are looking for ways and means to encourage freer and more open systems while protecting citizens, our socialist government at Queen's Park is shutting down Ontario. It is relying on more bureaucracy and centralized planning to dictate policy.

Earlier this week the minister announced his overall housing policy. That document, taken with this legislation, means that there is no longer a provincial housing policy that applies to the majority of the people in Ontario. There is only rent review and non-profit housing in the provincial focus. I emphasize to him that he does not have rent control. He has rent review, with all the bureaucracy that goes with it. This is what he promised to get rid of. The small landlord will now have to hire an accountant, a lawyer and a consultant just to figure out what he has done.

The Minister of Housing has made profit a dirty word in this province. There is no element in this legislation whatever for profit. He has now created two guidelines for the bureaucrats to work with, guidelines that are more confusing and more expensive. This is even more expensive than the previous Liberal legislation.

The increases do not even keep up with the rate of inflation, which was one of the government's promises in its agenda for power. Hypocrisy surrounds this government. It promised the people of Ontario a simpler system, less bureaucracy and one rate of inflation. Now he has two guidelines, more bureaucracy and chaos.

This law is even more confusing than Bill 4. People will not only have to build to get rid of rent controls; the five-year exemptions for new building will only encourage building on the higher end. The building will be for the rich. The minister has created a monster in Bill 4. The monster of his proposed bill is now moving and it is out of control.

It has been quite clear from the figures that have been given by the minister and the ministry that there is \$7 billion in renovations required in this province, and yet he is going to allow 3%. It will not even get close to solving the \$7 billion in renovations that is required and which will improve the way of life for our tenants in this province.

Except for the 3%, the minister is maintaining the status quo. Already it is a government out of control. It is an old government. He is saying he is allowing a transition period for capital expenditures. He is going to allow 3%. Big deal. He is too late and it is not enough. It does not even help those landlords who have gone bankrupt because of Bill 4 and the thousands of jobs and contracts that were lost because of his policies. They are broke because

of his policies and he is not going to help them. He simply is going to give them 3% for those few landlords who are surviving.

He is not only the minister of slums; he is the minister of bankruptcy. He put me and the members of this House through closure on Bill 4 by not allowing us and the members of the Liberal opposition to put forward amendments. One of the amendments he had to do was the capital expenditures agreed to by the tenants and landlords. That was one of the amendments we wished to debate, and now he is putting this through with a cap of 3% guideline, clearly not enough to solve even an agreement between tenants and landlords.

The other amendment we suggested was for capital expenditures. He would not allow us to put forward an amendment on that. He would not allow us to debate that and try to help him in creating his legislation, and it is clearly not enough. What he says is, "Do it our way or not at all." After all the months of Bill 4, he still will not listen. His policy is not only laughable; it is sad.

NATIVE SELF-GOVERNMENT

Mr Harnick: I am pleased to see this statement by the government; however, I am somewhat confused by it. On page 2 the statement indicates that Ontario now formally recognizes the inherent right of the first nations in Canada to be self-governing. I am pleased by that. I thought that was always the position of this government and I am surprised that it has brought out a statement now to say that again. It is something they have said over and over. It is nothing new.

However, the fact that an agreement has been made has raised expectations that the government will now begin to execute all the very important things that it put in this statement. It includes social services, health care, natural resources, schools, the justice system. I put it to this government that I am glad to see that it recognizes what the obligations are and I am glad to see that it is going to try to move forward, but the expectations are now raised by this agreement to a higher point than they have ever been raised before. It is now incumbent to deliver on them.

1420

ORAL QUESTIONS

MINISTERIAL RESPONSIBILITY

Mr Mahoney: I truly regret that I must direct this question to the Solicitor General. The Solicitor General has said to us in the past on numerous occasions, "I did not sign the letter, I did not authorize the letter and I did not see the letter." He finds it difficult to understand that we do not truly understand how that could be in a constituency office.

Mr Mammoliti: Old news.

The Speaker: The member for Yorkview, relax.

Mr Mahoney: The Solicitor General finds it difficult to understand why we do not understand his answers, and in a spirit of fairness I would like to ask him some very simple, basic questions in the hope that he can give us some very simple, basic answers that we will understand.

We realize that he did not sign the letter, but he did authorize his staff to sign the letter on his behalf. He says he never saw the letter, and we have to believe, because he is a gentleman, that this is the case. Mr Speaker, you can appreciate this. You run a constituency office and you can imagine, on Fridays when he goes back, or in the evening, and he meets with his staff, that they would perhaps present before him as a member documentation that they had sent out on behalf of constituents. They would have a file that would say, "For the eyes of the minister to see for his approval."

Hon Mr Pouliot: What about the simple question?

Mr Mahoney: What the minister is suggesting is that they would have another file—I am getting to that—that would say, "Not for the eyes of the minister," sent on his behalf but not for him to see. Is he truly expecting us to believe that when he goes back to Cambridge to his constituency office his staff would withhold information from him, letters that they had sent out on his behalf?

Hon Mr Farnan: Yesterday, the Leader of the Opposition made comments concerning editorials in a Cambridge newspaper. I would like to read from a Cambridge newspaper of last night, the Cambridge Times: "Two things have emerged crystal clear from this protracted charade. Neither Farnan nor his employees deserve the abuse they have suffered, and the only ones with anything to gain by prolonging it are the opposition parties themselves. What has happened in the Legislature recently is an example of partisan blood lust at its worst, a deliberate attempt by opposition MPPs to destabilize the new government for the most spurious of reasons."

Mr Mahoney: It is very unfortunate, Mr Speaker. What I had said in my opening remarks and the reason I took some time with your patience was that I wanted to give the Solicitor General an opportunity to answer some very simple questions. What does he do? He stands up and reads an editorial from a newspaper. I did not ask him what was written in the Cambridge newspaper. I asked him about his procedures.

If I might indulge your patience for just one moment, Mr Speaker, the minister has told us from the very first day he became minister—and I am sure his constituency staff were extremely proud of him, with great justification, when he showed up as minister—that, in his words, he preached the gospel of separation. Some time following this sermon, a number of constituents contacted his staff. All three of the staff in the Solicitor General's constituency office were asked for help by these constituents, and even though they had been told, through his sermon, about the gospel of separation, all three of them did help in one way or another and sent letters off to judges.

They acted on his behalf as his staff in a very serious matter. Then when he came into his constituency office, we are asked to believe they did not tell him about it. They did not tell him they were meeting with his constituents on behalf of fixing a parking ticket.

The Speaker: And your supplementary?

Mr Mahoney: They did not tell him they had written a letter with his name attached to it. Does the Solicitor

General expect us to believe that his staff did not communicate this? If so, what are his constituents in Cambridge to think: that his staff do not tell him about their problems, that they do not share what they have done on behalf of constituents or that he truly does not care about their problems?

Hon Mr Farnan: Again, I would like to quote from the Cambridge Times of yesterday, last night's editorial, "The conduct of the opposition parties in this affair has been utterly shameful and inflicted an enormous"—

Interjections.

The Speaker: All members will realize that the standing orders do not prescribe what nature the responses will follow. They do not have to be responses to questions asked. It is out of my control, but I would appreciate it if members would allow the person responding to be heard.

Hon Mr Farnan: The quote reads: "The conduct of the opposition parties in this affair has been utterly shameful and inflicted an enormous personal toll on Farnan and his workers. While people like Harris and Nixon have much to say about the government's inadequacies, it is clear they have a lot to learn themselves about the legitimate role of opposition politicians. It is time now for this partisan bullying to end. As Farnan himself has noted, there are many more pressing matters of the public interest that the opposition should be concentrating itself on these days."

Mr Mahoney: Even though that did not answer either my first question or my supplementary, I have some sympathy with some of those words. There are more important issues that we should be addressing, and if we could simply get answers to our questions—I am trying not to be obstreperous. I am trying not to be difficult. I am simply trying to ask about the procedures in an MPP's office, an MPP who happens to be the Solicitor General, and all I am getting are quotes from a newspaper. I am trying to ask him straightforward questions. Let me try again, and hopefully he will not need the newspaper to deflect away from the answer.

The Solicitor General informed all of his constituency staff that they were not to contact members of the judiciary, yet two of these people have said they never heard him say this.

The Speaker: And your supplementary?

1430

Mr Mahoney: I am coming to it. He says he repeated this sermon time and time again, but he also admits, "Because one transmits a message does not mean a person hears it." Is the Solicitor General asking us to believe that his staff do not listen to him, that they ignore him, that when he tells them they should do something, they do exactly the opposite? Is that what he expects us to believe?

Hon Mr Farnan: I will repeat again, the member continues to question the circumstance around a \$35 parking ticket when a part-time member of my staff made an honest mistake after phoning the clerk of the court and getting directions to phone a justice of the peace.

There are literally thousands of people who have not been in Toronto when they have been issued a parking

ticket. The reality of the matter is that there is a problem with parking tickets. One of my staff, trying to help an 82-year-old man clear up that wrongfully distributed ticket, made a mistake.

An RCMP investigation has exonerated both myself and my staff. I think it is time for the opposition parties to get real and get on with the business of Ontario.

Mr Mahoney: I will say that at least that was an attempt at an answer and was not simply quoting from a newspaper, and I at least appreciate the attempt. I think there is an underlying principle that even the Solicitor General would have to agree with, and that is that it is absolutely incorrect for members of this Legislature to try to interfere with the independent workings of the justice system. This would clearly be the principle behind the gospel of separation preached by the Solicitor General.

He has told us that a senior member of his staff clearly followed his instructions in this regard. I must take just a very brief moment to share with members from the summary of the RCMP report referred to by the Solicitor General. It reads:

"Staff member 2, who attempted to assist constituent 2, wrote a letter to a justice of the peace. Staff member 2 is a receptionist in the constituency office. She did not have any written guidelines or directions in relation to corresponding with the judiciary." That is the receptionist, one of the junior people.

"Staff member 3 wrote to a justice of the peace on behalf of constituent 3." This person was a probationary staff person, three weeks in the employ.

The key point is that he refers to his senior staff person:

"The staff employee who attempted to assist constituent 1 was staff member 1. She wrote to the Attorney General of Ontario requesting some assistance on this issue. The response on behalf of the Attorney General was prepared by a member of the office of the director of criminal law policy."

The Speaker: The interrogative part?

Mr Mahoney: The interrogative part would be that staff member 1 is a junior and number 2 is probationary. There are three people in the office. It would lead me to conclude that the senior member of the Solicitor General's staff actually wrote to the Attorney General asking the Attorney General to fix the parking ticket.

The Speaker: Your question, please.

Mr Mahoney: Did the Solicitor General instruct his senior staff person appropriately with his gospel, and is he willing to admit that the senior staff person ignored those instructions and simply did not write to a judge but wrote to the person who appoints the judge and asked that person to fix a parking ticket?

Hon Mr Farnan: There are probably about 10,000 people who are involved in my ministry: police officers, correctional officers, probation and parole officers. I just say that to give the members of the House some idea of the magnitude of my job.

Certainly I have a political staff, a ministry staff. All of the quotes that are being made—person 1, person 2, person 3—are not on my ministry staff. So now we are talking about

somebody back in the constituency office, a part-time member. Okay. A mistake was made trying to help an 82-year-old person with a parking ticket that was wrongfully given to that individual.

It is very clear indeed that the people of Ontario want the opposition to get on with business. In fact, I will tell you a little story. As I was walking along Main Street in Cambridge, a constituent came up to me and said, "You know, Mike, those Liberal ministers, didn't they contact the police, didn't they do something themselves?" I said, "Yes, they did." The constituent said, "Isn't that the whole point, that these guys got involved?"

I did not phone a judge. I did not tell my staff to write a letter or phone a judge. The obvious answer is that there is a distinct difference between the actions of the Liberal Solicitor Generals and this one.

Mr Mahoney: I did not ask about the 10,000 employees in the Solicitor General's office. In fairness, I did not even mention that. I was very specific, Mr Speaker, and in fairness to you, I did not read all of the quotes from the summary of the RCMP report.

This is like a game show. I referred to staff 1, a junior. I referred to staff 2, a probationary. I referred to staff 3. You can only assume as a fair deduction that if there are three people and number 1 is a junior and number 2 is probationary, the third member of the staff would be the experienced, senior member of that staff. That a reasonable conclusion for anyone to make. That person wrote to the Attorney General.

I have the letter here to the Attorney General. It is not a figment of my imagination. It is not a manufactured document. It is a letter on Mike Farnan, MPP, letterhead to the Honourable Howard Hampton, Attorney General, "Will you solve my constituent's problem with regard to a parking ticket?"

The interesting thing is, what we cannot find is the response letter from the Attorney General back to that office.

The Speaker: I am trying to find a question.

Mr Mahoney: Apparently the executive assistant has said the letter has been misplaced or they cannot find it. Apparently the Attorney General wrote back—

The Speaker: Will the member place his question, please.

Mr Mahoney: —and either instructed the staff that they were out of line or, horror of horrors, said, "I'll be happy to fix the ticket," but we will not know that.

The Solicitor General has been most co-operative up to now in supplying us with documentation, in going through the RCMP report.

The Speaker: Would the member quickly place his question.

Mr Mahoney: Will the Solicitor General make available to the public the letter written from the Attorney General back to his constituency office in reply to the letter of 25 February addressed to him?

Hon Mr Farnan: If that letter is desired by members of the opposition parties, they would apply to the Attorney

General. He informs me it is a form letter and he would be happy to make it available.

Mr Mahoney: We have already asked for it.

Mr Ferguson: On a point of order, Mr Speaker: Standing order 26 fairly clearly spells out what has and has not been permitted in questions to date. I want to point out that, although there is not a time limit in the standing orders with respect to questions, the opposition has routinely taken well over two minutes today to put a question.

The Speaker: Would the member take his seat. I am most aware, and I ask all members to co-operate in trying to observe our self-imposed time restraints. Would the member succinctly place his supplementary.

1440

Mr Mahoney: My questions could be substantially shorter if I would just get an answer that was remotely connected to the question. I again am trying to be fair in allowing the Solicitor General to answer these very simple questions. I have asked him to produce a letter. We have asked his staff to produce the letter. The letter was sent to him. We have asked him to produce it. I do not know why he is refusing to produce it.

He also has difficulty understanding why we cannot accept these answers. My final supplementary is again very simple, and really, if the Solicitor General is fair about this, he will want to clear the air.

We have an RCMP report that puts a great deal of confusion into the matter. We have letters floating all over the place to judges and Attorneys General and everybody else. Will the Solicitor General today ask the Premier to refer this entire matter to the standing committee on administration of justice so that we can find out, so that we can clarify it so we can clear his name? Frankly, I would think he would want to do it so we could clear the name of all staff in his constituency office.

Hon Mr Farnan: If I may quote again from the editorial of the Cambridge Times—

Interjections.

Hon Mr Farnan: The member made reference to the RCMP report. In direct answer to his reference to the RCMP report, I would like to quote. "The recent RCMP report into Farnan's conduct even took the extraordinary step of lavishing praise on the Cambridge MPP, calling him a man of high integrity."

The member is quite correct. I have been absolutely open to the RCMP and to this House, and if the opposition parties want to continue asking questions on this issue for the next two weeks, I will answer the questions. But I say to them that they do it at their peril, because the people of Ontario are fed up.

RENT REGULATION

Mr Harris: I have a question for the minister of rent review. The minister has, over the past nine months or so, spent a considerable amount of money, in cash, in studies and in staff time, studying, as he has told us, all of the options available to provide protection for tenants and to try and increase the supply in this province.

I would like to ask the minister two things. First of all, can he tell us just how much money has been spent over the past nine months to come up with what he has presented to us today? I would also like to ask him if he considered an option that has been put forward by virtually every major newspaper in Ontario, by virtually every landlord association in Ontario and by virtually every business person in Ontario, and that is an option of phasing out rent controls altogether by increasing supply and replacing them with shelter subsidies to those who actually need help.

I wonder if the minister can tell us how much time, effort and money was spent studying that option, the total cost to the government, the impact on new supply, the impact on tenants, versus the route that he has chosen to go, the total cost of non-profit housing, the total cost of the bureaucracy to run the system, the growing waiting lists as rent controls have been tightened—the list is getting longer—if he spent any time analysing that option.

Hon Mr Cooke: I will get the leader of the third party the exact figure of what the consultation process cost. Those figures were tabled with the standing committee on general government when we initially announced the consultation process, and I will get him a figure that is completely up to date.

In terms of the option that he outlined of how much money was spent looking at the option of deregulation and his argument that we should look at that option because landlords' groups and editorial boards support it, I would point out to the leader of the third party that landlords' groups and editorial boards took that position in the mid 1970s when the Davis government brought in the first system of rent regulation in this province.

His party back then, when it was progressive and understood that tenants needed to be protected, came to the conclusion that tenants deserved this type of legislation and needed protection in this province because affordable housing was a basic human right. I am very sorry to see that the Tories have abandoned that basic principle.

Mr Harris: I think the government refused to spend one cent studying it because it was afraid the results would show there would be less increases for tenants, there would be more supply, it would be less cost to the government, and for that reason, because it did not fit into its philosophy, it refused to even look at the option. I suggest to the minister that is the reason.

I want to quote from the Agenda for People, where the Premier said that if he were elected, his government "would bring in a system that is simple, that is fair and that avoids the bureaucracy which has frustrated both tenants and small landlords."

I wonder if the minister could tell us how his system is simpler than the Liberal system, and if he could tell us how much bureaucracy it is going to avoid and how many people will be laid off, and how big the cost saving passed on to the taxpayers of this province will be as a result of a simpler, leaner, more efficient bureaucracy in the Ministry of Housing.

Hon Mr Cooke: I do not believe the leader of the third party understands the inconsistencies of his questions. For the last several weeks we have heard from the Conservative Party that the government has to show fiscal responsibility, yet its suggestion is to do direct rent subsidies to all the private landlords across the province at an expense of hundreds and hundreds of millions of dollars. I do not know how they can make that kind of commitment and that kind of approach here in the Legislature today, when for the last several weeks they have been telling us we need to cut back on government spending. Do they not understand the inconsistency in their silly approach?

Mr Harris: I suggest to the minister that we are dealing with a serious issue, we are dealing with billions of dollars of taxpayers' money. I assume the minister refusing to answer the question means this will not be simpler, there will not be less bureaucracy and, in fact, it will be just as complicated as the Liberal system the member for York Centre is babbling on about even as I speak.

I asked the minister if he would study. I suggested to him, and I stand by it, that he was afraid to study the option of how many hundreds of millions might be required for shelter subsidies versus the billions being spent on non-profit housing, average cost \$1,700 or \$1,800 per month per standard two-bedroom box when the government builds it. However, he did not want to study that.

Under the Liberal plan they allowed 1% of the increase to go for profit. It is not surprising to me that the private sector built virtually not one unit, based on being able to pass through a rent increase to get 1% of it for profit. Landlords, builders and developers said: "That doesn't make sense. We're better off having our money in the bank, in Canada savings bonds, in Treasury bills of the province of Ontario"—probably not now—"and safe things like that."

I wonder if the minister could tell me how his proposal to go from allowing 1% for profit to zero, nothing for profit, is going to encourage, entice, allow anybody to want to invest funds in new rental housing in Ontario?

Hon Mr Cooke: I would suggest that the leader of the third party does not understand the proposal we have put forward today. I also think he needs to take a look at what has happened in other jurisdictions, for example in British Columbia, where the Social Credit government did decide to phase out rent controls. They do not have construction in the private sector happening, and they do not have any regulation of rents. Now they have the highest average rents in the country and they have no private sector housing being built.

We have decided in this government to put together a housing strategy, part of which is rent control, part of which is supply, and we have created, with our non-profit housing announcement in the Treasurer's budget, 20,000 jobs. I think that is a good program and does a good job for the people of this province.

1450

MINISTERIAL RESPONSIBILITY

Mr Harnick: My question is for the Solicitor General. We are concerned that police and the public have confi-

dence in the chief law officer of the crown. What kind of nincompoop would allow a part-time or probationary employee to sign his mail?

Interjections.

The Speaker: All members will know that we do not have a dictionary of parliamentary/non-parliamentary language. However, is that the term the member wishes to use?

Mr Harnick: It is. On the strength of the answers that we have been receiving the last couple of months it is the only apt term that comes to mind.

Hon Mr Farnan: I think when questions are phrased in an appropriate way I will be prepared to answer them.

Mr Ruprecht: Mr Speaker, on a point of order: As you can see, before this degenerates any further I would simply place it to you that perhaps it should be in your judgement that the member should step aside or resign in the interim until this matter is resolved.

The Speaker: That is not a point of order.

Mr Harnick: Mr Speaker, "nincompoop" is indeed a parliamentary word. The NDP have used this word in the past and I submit to you that the question was proper and it should be answered by the minister if he has nothing to hide.

The Speaker: Supplementary question.

Mr Carr: Mr question is also for the Solicitor General. His ability to manage has definitely been in question over the last few weeks. There has been the outrage over the oath to the Queen. There have been the letters to the justices of the peace and that scandal. As late as yesterday there was the Sunday shopping law, which was condemned by all. The minister obviously, with three portfolios, is finding it difficult to undertake the tasks that are needed in this province.

Will the Solicitor General be prepared to admit that three ministries are too much for him and recommend to the Premier of this province that he be allowed to stand aside and that the Premier appoint a new Solicitor General for the province of Ontario?

Interjections.

The Speaker: Order.

Hon Mr Farnan: I am so pleased the member brought up the question. I am very proud of the record I have achieved as Solicitor General, Minister of Correctional Services and as the minister responsible for the provincial anti-drug strategy. We had the proclamation of the new Police Services Act. We have the most progressive regulations in employment equity of any jurisdiction in North America. We have met our commitments by bringing forward legislation for a common pause day for Ontario. In the anti-drug secretariat we have had visions for the 1990s. We have had an interministerial committee tour the province with a very significant blueprint for the future of substance abuse in Ontario. We have set up a committee that changes the total approach to the appointments of commissioners of police. Instead of the old patronage system, we now have a system where appointments are made

with input from policing services and from the community. This is a record to be proud of.

Mr Carr: I am glad the Solicitor General read some of the report from the Cambridge newspaper. I will read one from a Toronto paper, which said, "Provincially, the only people who do not seem to realize the Solicitor General, Mike Farnan, has no credibility left in the great parking ticket affair are the Premier and his trained socialist seals." Papers across this province are saying the same thing and have called for his resignation.

Something as simple as his ability to communicate with his staff is in question. There is a rise in crime in this province like never before in our history. We need strong leadership. Very clearly, in the next cabinet shuffle he will be moved out anyway. Why does he not ask the Premier to step in and possibly even appoint his parliamentary assistant to take over as Solicitor General so we can get some credibility back to a ministry that needs some credibility in Ontario?

Hon Mr Farnan: One is reluctant to blow his own horn, I suspect. As Solicitor General, I have taken an approach of working very closely with policing services. I have undertaken foot patrols with 52 Division along the Yonge Street strip. I have been with a young officer as we drove on Highway 401.

Interjection.

The Speaker: Order. Will the member for Oriole come to order, please?

Hon Mr Farnan: I have been in the company of a young sergeant as we went out in response to a gun call.

Interjection.

The Speaker: The member for Oriole, come to order.

Hon Mr Farnan: I have visited officers who have lost their sight in the line of duty. I am working with policing services because I respect the fine men and women who serve this province by giving us the best protection at their own risk. I am proud to be the Solicitor General. I enjoy the trust of my Premier and I am going to do the job.

Mr Mahoney: On a point of order, Mr Speaker: I just want to let you know that under section 33(a) I am dissatisfied with the answers given by the Solicitor General and I will be asking for a late show.

Interjection.

Mr Mahoney: If the government House leader does not mind, I will do it, thanks very much.

The Speaker: I take it the member will file the necessary paper with the table.

PLANT CLOSURE

Mr Offer: I have a question to the Minister of Labour. The minister will be aware that since his government took power, 224,000 jobs have been lost in this province. Almost a quarter of a million jobs have been lost since the government took power on 1 October. Uniroyal Goodrich in Kitchener is planning on eliminating between 1,000 and 2,000 jobs. Algoma Steel, working in concert with the Premier's task force, has tabled a plan which calls for the elimination of 3,500 jobs. Plans for the takeover

of de Havilland by a foreign corporation call for the elimination of 1,700. Abitibi-Price is closing a plant for two years at a loss of more than 400 jobs.

Why is it that the minister's government seems to be the easiest patsy in the western world when it comes to companies closing doors?

Hon Mr Mackenzie: I think the member across the way must have been reading some of my speeches when I was in opposition. I just want to say that, yes, I am aware and concerned, and I am very pleased that he is finally aware also of the kind of devastation we have in our industries.

Mr Offer: The Minister of Labour has done absolutely nothing since he was appointed in terms of creating jobs in this province. The job loss figures will be released by Statscan tomorrow. Since his election, he has had a number of job losses and plant closures in the province, and what has been his reaction? He has just recently shown a deficit of almost \$10 billion. There have been almost a quarter of a million jobs lost in the province, and the budget does not create one single new job.

The workers in this province have told us that they want paycheques more than severance cheques. The minister has not done anything to address the one overriding issue that counts in this province, that of job creation for the unemployed.

When will the minister start to work with both business and labour to in fact create jobs, because to date the minister has done absolutely nothing?

Hon Mr Mackenzie: I think the member across the way is well aware that the budget has created probably better than 70,000 jobs. If it were not for the moves, including the \$700 million in capital up front, we would have another 70,000 or 80,000 people out of work in Ontario today. If we had in place some of the mechanisms that might deal with plant closures and justification, we might have been able to deal with it quicker. As it is, that is exactly what we are working on putting in place in the province, and we will do that as quickly as we can.

1500

LABOUR RELATIONS

Mrs Witmer: My question is for the Minister of Labour. The minister is no doubt aware that just as the wage protection fund created a great deal of concern and apprehension in the business community, there is also that same apprehension and concern about the proposed changes to the Labour Relations Act, concern and apprehension that are leading more companies to re-evaluate their future in this province and could cost more workers their jobs. What assurance can the minister today give this House and the workers in this province that he will listen to the legitimate concerns of the business community before he introduces any legislation implementing these new labour relations proposals?

Hon Mr Mackenzie: I think the member is well aware that we were listening, and I told her in answers to questions almost two weeks ago that we were listening and aware of the concerns that were being expressed in terms of the wage protection bill. Her party still seems to think it

is irresponsible legislation, even though it is there to protect workers who have earned wages and not received them, and I can tell her that we are as responsive, and will be, in terms of OLRA amendments in Ontario.

Mrs Witmer: I would just like to indicate to the minister that we were very pleased with the amendments to the wage protection fund. However, we are equally, if not more, concerned about the proposed changes to the Labour Relations Act.

I would like to point out to him what the president of the St Catharines Chamber of Commerce said on Tuesday, "If the investors perceive that legislation in one specific province is more restrictive, they are not going to go there, and companies here will re-examine their ability to manage and take whatever steps necessary." He then stated that those steps may include pulling up stakes and relocating.

Will the minister today give a commitment to this House that before any legislation is introduced he will release draft legislation and allow it to go through an effective and meaningful public consultation process, that he will consider all of the options and concerns that are raised and that when the legislation is drafted it will include the viewpoints of all the consulted parties?

Hon Mr Mackenzie: I find the implication that we might not want to go through any kind of process a little disquieting. It seems to me that what we already have out there, the initial request we made for information back from both sides, has been taken as an accomplished fact in what we are doing in the way of legislation. There is no legislation before us whatsoever. We have asked for consultation. We will be asking for further consultation on this legislation in Ontario.

I want to make it clear that our goal is not to chase away business, and I do not think fair legislation for workers chases away business. Our goal is to establish a partnership that does away with some of the confrontation and brings us back to a much more co-operative mode in the province, and that is exactly what we are trying to achieve.

DECENTRALIZATION OF GOVERNMENT OPERATIONS

Ms Haeck: My question is for the Minister of Transportation and relates to the relocation of his ministry to St Catharines. The St Catharines YMCA is anxious to relocate to a downtown area in St Catharines in order to be more accessible to the community and is interested in negotiating a co-tenancy agreement with his ministry. The YMCA has proposed that it provide onsite child care for ministry employees in exchange for office space. I believe this arrangement could benefit ministry employees and an important community organization in my riding. What action is the minister undertaking at this time?

Hon Mr Philip: I am pleased to tell the member that we welcome community involvement in the move of our ministry to St Catharines, a community that is considered one of the 10 most desirable cities in which to live in Canada. My staff today are meeting with the executive director of the St Catharines YMCA to discuss the proposal, and I am hoping we will be able to come up with an arrangement that will be satisfactory to my ministry and to

the YMCA. Certainly our government recognizes that the YMCA has played an important role in St Catharines with regard to services to children as well as services to adults in the way of education, fitness, recreation and so forth.

TAXATION

Mr Bradley: My question is for the Treasurer. Today the Liberal budget task force is hearing from people in the city of Thunder Bay who are being hurt by his NDP budget. The task force heard from Keith Milne, of a local emergency shelter. Mr Milne said his shelter is having trouble meeting emergency demands. The normal procedure of going through government for funding always takes too long to meet what he refers to as emergency demands and needs, so Mr Milne has traditionally gone to local businesses for more immediate donations.

He is encountering what a lot of people who have gone to business for donations for various reasons are encountering today, resistance from the business community, because of the fact that they are paying so much in the way of taxes in Ontario that they cannot afford to give money, as they have in the past, to charitable or recreational organizations.

Can the Treasurer inform the House what measures he is prepared to take in terms of withdrawing any taxes in the budget on that business community, and what further incentives he can provide so we can have that business activity in the province, so the business community will be able to continue contributing as it has in the past to worthwhile causes such as this?

Hon Mr Laughren: I thank my friend for the question. I do not know why the member or a business person in Thunder Bay would imply that we had imposed any kinds of substantial new taxes on the business community. We did not raise the corporate income tax whatsoever. As a matter of fact, we did not raise the personal provincial income tax at all. We did not touch the retail sales tax at all. I find it very strange that the member should suggest that we reduce taxes that were imposed in the budget, thereby increasing the deficit even more. I must say I am not prepared to do that.

1510

Mr Bradley: As the Treasurer, being the economist that he is, will understand, the fact is that when you allow for tax decreases or when you do not increase taxes, you tend to have a stimulating effect on the economy, whether it is the provincial economy or the national economy. In fact, in that way, particularly in the medium and long run, not only would the Treasurer be providing businesses with the opportunity to do well in Ontario and be able to make those donations as they have in the past, but he would also get increased revenue because of the increased business activity.

Would the Treasurer not agree that by agreeing with what I have contended—that is, keeping taxes low or eliminating some taxes—he could have a stimulative effect on the economy and still get the revenues he needs to bring down the ever-growing deficit in this province?

Hon Mr Laughren: Oh, were it so easy. What the member for St Catharines is proposing is basically supply-side economics, which was practised by Ronald Reagan in the 1980s. Back in the 1980s the federal debt in the United States was, as I recall, somewhat under \$1 billion, around \$900 million. Now I think it is around \$3 trillion, over \$3 trillion.

The member should be very cautious about making the assumption that when you lower taxes, you stimulate the economy to the degree that it makes up for the loss in taxes because of increased economic activity. Evidence elsewhere does not suggest that.

Finally, the member should appreciate, since he is considered one of the more progressive Liberals—at least I always thought he was up until this very moment, as a matter of fact—that the tax base that is out there now, much of which was put in place by the former government—and I do not say that in a critical way—provides the province with the quality of life the United Nations has determined is number two in the entire world. Personally, I think it is number one.

POLICE SERVICES

Mr J. Wilson: My question is to the Solicitor General. On 25 April, I brought to the Solicitor General's attention the need for 24-hour policing throughout my riding of Simcoe West. As he knows, the village pharmacy in Creemore had, at that time, been burglarized twice in the span of a month and some five times over the past year. The burglaries occurred after officers from the Stayner OPP detachment went off duty and went on call. After I raised this issue on 25 April, the Creemore pharmacy was robbed once again. How many more stores and individuals will need to be robbed before this government agrees to stop dragging its feet and restore 24-hour policing to the areas of this province that need and deserve this service?

Hon Mr Farnan: I agree with the member that the resources available to our fine police services are stretched to the limit, but I also want to add that they are doing a magnificent job every day in order to provide the best possible policing services to the people of the province.

After a decade of benign neglect of policing services in the province, this government has come in and is making a very full assessment of the consequences of the benign neglect of previous administrations. I have the first draft of a first stage of the report in my possession. I am studying that with my officials. It is certainly our intent to address it, but there are real structural concerns that have to be addressed. It is not going to be an easy problem, but I know that, with the kinds of men and women who make up our forces and the kind of commitment this government has, we are going to solve the problem.

Mr J. Wilson: The minister should be aware that some three years ago, his predecessor for the Liberals, Joan Smith, made a promise to restore 24-hour policing within weeks. Clearly, that promise was not kept. The minister's credibility is again in question in the exchange we have had over this issue. When I raised this issue with him on 25 April, he told me his excuse for inaction at that time was that he was waiting for a province-wide OPP

staffing report before he could address this issue. Surprisingly enough, in response to a question this past Tuesday from my colleague the member for Wellington, he admitted he had that staffing report in early March. That calls into question the response he gave me in April, when he said he did not have the report, yet it is confirmed by himself that it was on his desk.

Second, in response to a letter to me dated 25 May, he said both he and the OPP commissioner, Thomas O'Grady, had corresponded with the owner, John Smart, of the Village Pharmacy in Creemore.

It should not come as any surprise to the minister, given his credibility record to date, that I have talked to Mr Smart very recently. He has not heard from the minister, his staff or the OPP commissioner. My constituents do not know whether to believe him or not, given these contradictions. I want to know today whether he is going to commit to restoring 24-hour policing to the Stayner OPP detachment and other areas around this province. He has studied it enough and he has played ping-pong with this issue and we are not satisfied. I demand an answer today.

Hon Mr Farnan: The member almost clouded the question in all of the absolute nonsense he surrounded it with, but I have been able to sift through it and have found his question. Now I am going to repeat it for him so that I know we are talking about the same thing. He is talking about 24-hour police service for that area. There are areas of the province that have perhaps 18 hours of service, and then a local service is on call for the remaining six hours.

I want the Conservatives to listen very carefully. They have been demanding more service and more programs. They are demanding more spending. They are demanding that more money be spent, and at the same time they are going out on their public campaign and saying this government is spending too much. They cannot have it both ways. We are determined to look at the situation and to come up with realistic solutions. It is going to be province-wide. It is not going to be simply—

Mr Harnick: You are a disgrace.

The Speaker: Just a moment. That is unacceptable. Interjections.

The Speaker: Order.

Mr Harnick: The answer is unacceptable, Mr Speaker. His answers truly are unacceptable.

The Speaker: The member for Willowdale, come to order. Every member in this House has a right to be heard and will be given that right. Will the Solicitor General conclude his remarks.

Hon Mr Farnan: As I said, I think it would help all members of the House if we understand that there are individual problems because of stretched resources. We are not going to deal with them one little piece at a time. We are going to have a structural approach which addresses the whole problem. I will be bringing the details of that forward at the appropriate time.

RENT REGULATION

Mr Malkowski: My question is to the Minister of Housing. Under the new rent control legislation, how will

tenants be protected from paying the costs of landlords flipping and then reselling their buildings?

Hon Mr Cooke: That was certainly one of the areas of great concern to our government and to our party when we were in opposition. The previous rent control legislation introduced by the Liberal Party encouraged resales and sales of buildings because they knew that the increased financing costs could always be passed through the system and rents would go up to cover those costs. We are very pleased to say that this is simply not provided for in this legislation, because we want stable rents and we want real protection for tenants.

Mr Malkowski: In the past, tenants have been forced to pay for luxuries that they really did not want or ask for. How is this changed by the new legislation?

Hon Mr Cooke: This was one of the areas of concern expressed by groups across the province, and we have put a section in the permanent legislation that says very clearly that capital expenditures will be allowed, but only necessary capital expenditures. Those necessary capital expenditures are defined in the legislation. I believe very strongly that while previous governments have said it could never be done, we have done it, and tenants will as a result be adequately protected.

1520

HOSPITAL BEDS

Mr Phillips: My question is to the Minister of Health. It is a follow-up to a question that was raised here about six weeks ago, and it has to do with hospital bed closings across the province. As I think the minister will appreciate, we are hearing reports now from right across the province of hospital beds closing, some on a permanent basis.

The numbers that we have are for Metropolitan Toronto, where I understand about 1,000 beds will close over the summer and perhaps 500 to 600 of them will remain closed permanently. The net result of that in Metropolitan Toronto is that out of 17,000 beds, about 2,500 will now be permanently closed. That, by the way, is the equivalent of five major hospitals being closed. Those are the numbers we have for Metropolitan Toronto. We do not have the numbers across the province.

How many beds across the province will be permanently closed, and does the Ministry of Health, in the monitoring which it promised it would be doing, support those permanent closings?

Hon Ms Lankin: At this point in time we are in the process of reviewing many of these proposed budgets from hospitals. Not all hospitals have submitted them to us at this point, so it is not possible for me to give the member a final answer.

Where we are at with the review does suggest there will in fact be bed closures. We expect that; we know that will happen. At this point in time, from the statistical review of what is needed in the province, it appears to us we will be able to continue to meet that, primarily because of the shift in focus in health care services from long-term stays in hospital to shorter-term stays and more ambulatory care.

We will, however, watch this and monitor this with great caution. I think it is important that as each hospital brings forward its budget, we look at what it is proposing, look at the areas. Where we see problems, we will be discussing them with the hospital.

Mr Phillips: We raised this six weeks ago with the minister and the minister assured us she, along with staff, would be monitoring it. I would like the minister's assurance that over the next month the ministry will be monitoring this and that we will have a report on beds that will be permanently closed. I can understand beds closing for health reasons, but if they are closed for budget reasons I think we all have a problem. We would like an assurance from the Ministry of Health that the beds that are closed are closed for health reasons.

The third thing is, we can only have increased community-based care if this government will come forward with its long-term care plans and its community-based care plans. There is no sense closing beds in anticipation of community-based care and the minister holding back on that. That would be the third part of the assurances we need from this minister today, that we will have, before the House rises, the long-term care, the bed analysis from the ministry and the assurance that the bed closures are done for health reasons, not for budget reasons.

Hon Ms Lankin: I would like to remind the member that in terms of the transfer payments to hospitals, we did increase those by 9.5% this year. In fact, that is over \$600 million more money out there in the system. So there has been an increase in funding.

Now having said that, at this point in the year—and I know the member knows this and the former Minister of Health knows this—when hospitals go through their budget-setting process, there is inevitably the rash of stories about closures. Until we see those plans, until we review them with the hospitals, we cannot give those kinds of assurances. We do not have all of the budgets submitted yet.

I do indicate to the member clearly, however, that I will keep him informed as we do those reviews and we will take the measures that are necessary to ensure that the proper level of care is being provided out there.

With respect to the issue of transference to reliance more on community-based care, I think this is a very important issue that the member raises. In fact, as we do our consultations around a shift to more community-based care, it is going to be important that we build a consensus that there will be also a shift in resources from institution-based care to community-based care.

On the member's last point—and I am not disappointed; I knew as he got up to speak that he would raise the issue of long-term care—I am hopeful that we will be able to answer his question very soon on that.

MOTION

PRIVATE MEMBERS' PUBLIC BUSINESS

Miss Martel moved that Mrs Cunningham and Mr B. Murdoch exchange places in the order of precedence for private members' public business.

Motion agreed to.

PETITION

FRENCH-LANGUAGE SERVICES

Mr McLean: I have a petition to the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Whereas the French Language Services Act, 1986, Bill 8, continues to elevate tensions and misunderstandings over language issues throughout the province, not only at the provincial but also at the municipal levels; and

"Whereas the current government disputes its self-serving select committee and intends to encourage increased use of French in the courts, schools and in other provincial services to ensure that the French Language Services Act is working well to the best of their concentrated efforts; and

"Whereas the spiralling costs of government to the taxpayer are being forced even higher due to the duplication of departments, translations, etc, to comply not only with the written but also the unwritten intent of the French Language Services Act; and

"Whereas the spiralling costs of education to the taxpayer are being forced even higher due to the demands of yet another board of education—French-language school board;

"We, the undersigned, request that the French Language Services Act be repealed and its artificial structures dismantled immediately, and English be declared as the official language of Ontario in governments, its institutions and services."

That is sent to me from Linda Field in Englehart, Ontario, and there are 37 names on that petition.

INTRODUCTION OF BILLS

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY STATUTE LAW AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LES LOIS CONCERNANT L'ACCÈS À L'INFORMATION ET LA PROTECTION DE LA VIE PRIVÉE

Mr McLean moved first reading of Bill 120, An Act to amend the Law related to the Freedom of Information and Protection of Privacy.

M. McLean propose la première lecture du projet de loi 120, Loi portant modification des lois concernant l'accès à l'information et la protection de la vie privée.

Motion agreed to.

La motion est adoptée.

Mr McLean: The purpose of the amendment to the Freedom of Information and Protection of Privacy Act, 1987, and the Municipal Freedom of Information and Protection of Privacy Act, 1989, is that it authorizes the head of institutions to disregard a request for access to records if the request amounts to an abuse of the right to access. Persons whose requests for access are disregarded are entitled to notice of the head's decision and are entitled to appeal to the commissioner.

RENT CONTROL ACT, 1991

LOI DE 1991 SUR LE CONTRÔLE DES LOYERS

Mr Cooke moved first reading of Bill 121, An Act to revise the Law related to Residential Rent Regulation.

M. Cooke propose la première lecture du projet de loi 121, Loi révisant les lois relatives à la réglementation des loyers d'habitation.

1532

The House divided on Mr Cooke's motion, which was agreed to on the following vote:

La motion de M. Cooke, mise aux voix, est adoptée :

Ayes/Pour—66

Abel, Allen, Boyd, Bradley, Buchanan, Callahan, Caplan, Charlton, Christopherson, Churley, Cooke, Cooper, Coppen, Curling, Dadamo, Duignan, Elston, Ferguson, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Huguet, Johnson, Klopp, Kormos, Lankin, Lessard, MacKinnon, Mackenzie, Malkowski, Mammoliti, Marchese, Martel, Mathysen, Mills, Morrow, Murdock, S., O'Connor, O'Neill, Y., Owens, Perruzza, Philip, E., Phillips, G., Pilkey, Poole, Pouliot, Rizzo, Ruprecht, Silipo, Ward, B., Ward, M., Wark-Martyn, Waters, Wessinger, Wilson, F., Winninger, Wiseman, Ziemba.

Nays/Contre—13

Carr, Cousens, Cunningham, Eves, Harnick, Jordan, Marland, Murdoch, B., Runciman, Sterling, Stockwell, Tilson, Wilson, J.

NOTICE OF DISSATISFACTION

The Deputy Speaker: Pursuant to standing order 33, the member for Mississauga West has given notice of his dissatisfaction with the answer to his question given by the Solicitor General concerning letters sent to members of the judiciary and the Attorney General regarding constituents' parking tickets. This matter will be debated at 6 o'clock.

1540

ORDERS OF THE DAY

ONTARIO LOAN ACT, 1991

LOI DE 1991 SUR LES EMPRUNTS DE L'ONTARIO

Mr Laughren moved second reading of Bill 81, An Act to authorize borrowing on the credit of the Consolidated Revenue Fund.

M. Laughren propose la deuxième lecture du projet de loi 81, Loi autorisant des emprunts par le Trésor.

Hon Mr Laughren: I think members opposite will understand the need for this bill, since it allows us to borrow money on the markets to finance programs and to finance the provincial deficit as well.

This 1991 loan act authorizes the government to borrow up to \$12 billion in the period ending 31 December 1992. The period of the loan act has been extended from 30 September to 31 December.

The Deputy Speaker: There is too much noise in the House. I cannot hear. Order, please.

Hon Mr Laughren: I was having trouble even hearing myself.

The period of the loan act has been extended from 30 September to 31 December to allow adequate time for passage of this subsequent loan act and to reduce the need to ensure passage by the end of the spring sitting, in order to continue an orderly borrowing program.

For members who wonder about these kinds of things, such as loan acts, I thought I could provide some details which perhaps would obviate the need for a large number of questions later. But who can tell?

The bill will authorize us to borrow up to \$12 billion, as I indicated before. The composition of the \$12 billion—because members might wonder, since we are projecting a deficit of only \$9.7 billion, why we would possibly need authority to borrow up to \$12 billion—is as follows: For the benefit of the members, the 1991-92 deficit is predicted to be \$9.7 billion, as most members will know. There will be, during this period of time as well, retirements of outstanding debt of about \$600 million, which means that the 1991-92 borrowing requirements would be about \$10.3 billion for 1991-92.

Then we have to build into the loan act estimated borrowing requirements for 1 April 1992 to 31 December 1992, which is the expiry date of this bill, so if we compute the nine months of the 1992-93 period, namely from 1 April to 31 December 1992, and prorate the deficit for that period of time, that comes to \$6.7 billion, and then we add retirements during that period of time of \$0.9 billion or \$900 million. That comes to \$7.6 billion for that nine-month period. If you add to that a contingency—it is quite normal to have a contingency number under loan acts as well—and the 1991-92 borrowing requirements along with the 1992-93 nine-month period, that will come to \$18.4 billion.

However, I caution members not to jump to conclusions about that number, because the authority already available under existing loan acts, the 1990 loan act, is \$4.2 billion, under the 1989 loan act \$0.4 billion and the 1988 loan act—going back to then—\$0.2 billion. That totals \$4.8 billion. Then we also have the Financial Administration Act, which allows for refinancing authority of \$1.6 billion. Therefore, when that is subtracted, the 1991 loan act requirement is \$12 billion. I know it is a bit tortuous getting to that number, but I thought I at least owed members an explanation of how we reached the number of \$12 billion.

I hope members will appreciate the fact that it is necessary to have in place a loan act that will allow for the orderly borrowing that is required in Ontario. Members will understand, as well, particularly those members who have been around here for some time, that Ontario re-entered the public bond market at the end of last year. Prior to that, members will recall that our requirements were met by borrowing from the public pension plans in the province and the Canada pension plan as well. But that has now changed and we are now back into the public borrowing market in a fairly substantial way, as the member for Oakville South will appreciate.

With those few opening remarks, I look forward to the comments and contribution of the members opposite.

Mr Bradley: It is a good opportunity for me to raise some issues that are of great concern to the constituents of St Catharines and to the people of Ontario as they relate to the borrowing policies of this government and the need for the borrowing that the Treasurer has outlined to members of the Legislature.

This is the advantage, of course, of having a task force going around the province. The government initially resisted the opportunity to have a committee of the Legislature go around the province to hear submissions on the budget, but the two opposition parties have conducted such an exercise and have allowed the people the direct input they desire to have on budgetary matters in this province.

The mayor of Thunder Bay said that when they go to do their borrowing for their purposes—and sometimes they have to borrow offshore just as the Ontario government or the federal government has to borrow offshore—one of the things they encounter is a bad image for Ontario in terms of economics.

It is making it difficult for them to secure funds for their own borrowing purposes, and to secure them at a rate they desire for their municipalities. Part of this, of course, can be attributed to the fact that the provincial government is borrowing so heavily that it will have a deficit of about \$10 billion this year, and I suspect when all is in the deficit will be in excess of \$10 billion.

We all hope we are out of the recession. No one in this Legislature, for partisan or other reasons, hopes the province would stay in a recession. One thing we can say about members of the legislative bodies in this country is that while we are prepared to indicate our opposition to certain policies, everybody hopes for the best for our province and our country, and let the chips fall where they may in terms of the credit or the blame in that regard.

There is a concern out there that yes, we have a \$10-billion deficit this year. It is higher than most people anticipated and it is higher than we in the opposition think is necessary, but again I differ from some who indicate that there is no need for a deficit and that we should be balancing the budget in this year. That is impossible to do and maintain the programs that members of this Legislature from all sides consider important.

What is of particular concern, and this gets into borrowing, is the future deficits. If one could see a reduction coming in future years of some significant proportions, one could have more confidence. About \$9 billion is anticipated next year, about \$8 billion the next year and about \$8 billion after that. I know the figures vary just a bit from that.

That is the concern. There is an anticipation and a hope, certainly, from most of us watching the economy at the present time that we will pull out of the recession and therefore will not have to incur the kind of deficits that we see the government this year has decided to incur, as it says, to fight the recession, or at least to meet the expenditures it would like to have.

There are some reasons why the government should be spending money in this province. I do not think anybody

realistically says the government should get out of everything it is doing at the present time. We would like to see them spend wisely. We would like to see them establish priorities. We would like to see an emphasis on efficiency as much as possible.

There have to be programs that the government is engaged in. Members of the opposition get up from time to time. Today, one of the members of the Conservative Party indicated that he wanted to see more expenditures in the field of policing. I have been in the House and raised the issue of a need for another computerized axial tomography scanner machine in the part of the province I represent, the Niagara Peninsula. That is an important component of the health care system there. There is a need for certain of those expenditures and I am not one to stand and rail against the government when it makes the necessary expenditures for Ontario.

I recall very vividly some of the things said in opposition, and I sit with a smile on my face some days. Sometimes I am prompted into being even more vociferous and calling it to the attention of the government members. But I often smile benignly at the fact that the government is giving some of the same answers previous governments gave, and the opposition are asking some of the questions that used to be asked. It is an important part of the process. There are those who become cynical about it. One has to recognize, however, that this is the role of the government and that is the role of the opposition.

If the Minister of Health were to rise, for instance, next week in her seat and say, "I recognize the need for another CAT scanner machine in the Niagara Peninsula," I would say that is a reasonable expenditure on the part of the government. That costs them nothing in terms of the capital costs; that is raised locally. The entire cost is raised locally and the folks in the Niagara Peninsula are quite prepared to participate in those fund-raising campaigns to have the CAT scanner put in for diagnostic purposes, so that we do not have to send people to the United States for those services at a cost to the government, at a cost to those people. We would be saving money if we invested in that regard. There are times when the government can invest in certain ways and actually be saving money in the long run.

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The standing committee on public accounts, of which I am a member, is looking at the whole problem of cross-border shopping for health services in terms of drugs and alcohol. Many people in the province have headed south of the border because they believe that there are better services, or at least that there are services available. Some have been lured there by promises that they are going to get well without their neighbours knowing about it; let's put it that way. There is some kind of stigma attached, unfortunately, to people who are trying to recover. There is a place where there can be some savings. I hope the public accounts committee can be helpful to the government and the people of this province in making some recommendations that can be implemented by the Ministry of Health.

The member for Scarborough-Agincourt raised an interesting issue today in terms of the ability to meet obligations.

He said there are many hospitals which are closing beds. I remember when the member for Windsor-Riverside, the former Health critic for the NDP, used to rise in the House quite often and make comments about those bed closings and be critical of the government for bed closings. I do not see members of the governing side standing up to make those representations now. Frankly, in fairness to them, I do not expect they are going to do it. They will do it in caucus, in individual representations to the minister. That is the way the system works. I would be very surprised to see them rise in the House and chastise the minister publicly. That is something people hope will happen, but I am realistic enough to recognize it is not going to.

We also recognize a need for educational facilities. The Minister of Education has come forward with a program to provide some of the funding and continue the program of the previous government, providing some capital funds for educational facilities, eliminating the need for some of the portables in this province. It is again a reasonable expectation that a government is going to provide funding for those purposes.

We also know that the unemployed help centre in many areas has been looking for some funding. The unemployed help centre plays a significant role at all times. Where it plays an even more significant and vital role is in times of recession. The federal government has offices which provide counselling and assistance to people. There are some provincial offices that may do so. But many people are intimidated by government and government offices and feel more at home and at ease going to an unemployed help centre. Often they have a little extra time to spend with those people and some empathy, because many of the people who work there have themselves experienced unemployment.

I have noted with some interest and certainly with some regret that the Ministry of Labour is not providing the funding the St Catharines Unemployed Help Centre was looking for to assist people in the area. We have some people there who have provided some good counselling and who have helped families that have been in some crises because of the unemployment situation they were facing. They have helped people with résumés. They have helped people to go out in a tough job market to look for the job that is going to provide some money for them.

The St Catharines Unemployed Help Centre and the labour council in St Catharines have made representations for that money. Unfortunately, the government has not seen fit to do so. I received a copy of a letter from the Minister of Labour to the local labour council, where he indicated the reasons why not. I do not think they were compelling or satisfactory to me. I understand what the Minister of Labour is saying, but there again is an investment which I think is quite reasonable. People working there could provide a good service and I hope the government will give that some reconsideration.

I discussed this with the Treasurer this morning in committee. We were talking about cross-border shopping and the fact that revenues are down because of that. We instead see the government implementing new taxes which, in my view, are going to drive people further across

the border in greater numbers and certainly making the kind of purchases they might not have contemplated previously.

The member for Niagara Falls was there at the time and she was making some representations as well. We noted, I think, that in years gone by the cross-border shopping problem was confined to our part of the province, the Niagara Peninsula, and to a lot of the border areas. Today, we have people going for a drive from an hour or two away to cross the border to make purchases.

The Treasurer will make the case, "Our new taxes, our borrowing and our deficit and so on don't really affect it as much because it's only an additional amount." People begin to say: "I'm prepared to shop in Canada. I'm prepared to shop in Ontario." They look at that and say, "Well, perhaps I should patriotically be doing it." Then they look at the two senior levels of government, the federal government and the provincial government, because both have played a role in this and they both increase taxes on the loss-leaders, the things that people go across the border for in the first place, gasoline, cigarettes and alcohol.

In normal circumstances, governments like to pick on those three items to tax. But governments are losing revenue in this regard. More people are heading over the border, making other purchases as they go to purchase gasoline or cigarettes. I do not smoke so it does not affect me personally. I guess in terms of health, there would be many people who would argue that it is good for health to have high taxes. But what is happening is that the people are still smoking. They are heading across the border to get those cigarettes and then coming back to Canada. While they are over there buying the alcoholic beverages, the cigarettes and the gasoline they start to make other purchases. They start making more investments in terms of their own money in the United States. That is why I think it is unwise for the government to implement those kinds of taxes at this time.

We have heard from truck drivers in this province, the operators of large vehicles for transportation purposes, and they are facing difficult circumstances. They face very tough competition from the United States and from each other. We have a new tax for them, a tax on diesel fuel, and that tends to make them even more competitive. I must say I do not approve of their tactics of tying up the province's highways and I do not think a lot of those people do it easily. It is a sense of frustration out there, that this is the only way they are going to get the attention of the public and of governments, and for that reason they engage in that activity.

It is similar, I suppose, to strikes. People do not sit there hoping there is going to be a strike. People who work in various places do not say: "Let's go out on strike because it is fun or it's a good time or we'll show the company." They go out on strike because they feel they have a legitimate grievance. This is what the truck operators are saying in Ontario: "We have a federal government that has increased taxes. Now the provincial government has increased taxes and it has made us less competitive."

The other problem we encounter in terms of financing, if we look at the local level, is that the government says it

is not offloading. But, to be honest, I have not found a provincial government that does not unload some of its obligations on a lower level of government, a less senior, so-called, level of government. The federal government does it to provincial governments. Provincial governments do it to municipal governments. From time to time, governments try to make up for that with new programs and so on.

But once again, a lot of municipalities are scrambling to make up for what they consider to be a lack of adequate funding from the provincial government for the purposes that they have, for the obligations they have locally. Many of them, however, have sharpened their pencils and have really made a concerted effort to come in with budgets that are not too high.

1600

I know one of the incentives to do that is that they are in an election year at this time and it is always nice to go to the electorate with small increases or no increases in property taxes. The other fact is that those people have had to look very carefully—unlike what the Management Board of Cabinet appears to have done—at their expenditures. They have tried to maintain those which are essential. They have tried to maintain those which can be productive in terms of stimulating jobs in their area, and they have trimmed those which they consider not to be essential at a time of recession. Therefore they have managed in many cases, of their own volition and through their own efforts, to keep the increases down from what they might have been.

I heard a comment in the House the other day from one of the government members saying: "Isn't it nice? Our municipality is coming in with a low increase this year and it is thanks to our government." It is not thanks to the provincial government; it is thanks to the efforts of those people at the municipal level.

But they do get saddled with costs. In the Niagara region we have a police inquiry which has gone on for several months—we are now into years that the police inquiry has gone on—and the Niagara regional police commission and the Niagara regional government had made representations to the government to help alleviate the costs of the inquiry being conducted by the provincial government. I hope the government, when the inquiry is concluded, will look at the costs and determine which should be assumed by the provincial government and which should be assumed by the local level. I do not automatically think the provincial government should always provide money to local municipalities no matter what they ask for, but there are some areas where there is justification.

I saw—because we are into the borrowing—something interesting take place. I remember probably every government has gone through it—I know our cabinet went through the exercise—and that is the exercise of looking at the Ontario scholarship program. Young people in our province going through high school have a goal in mind. I am not suggesting for a moment that the only reason they are going to try to be Ontario scholars is so they can get the \$100, but it is nevertheless a recognition that they have achieved something.

It is a recognition of success, and if I were to be cynical, which I am not, I might come to the conclusion that this government really does not want to reward success. I have heard that said to me by a number of people. I do not know if I can draw that conclusion automatically, but they seem to tax success. As soon as someone is successful, for instance, in business, then the idea is that you must slap a tax on that person and slap him down. Once again, here is a chance to recognize young people who have worked very hard, who have achieved the necessary marks to be Ontario scholars, and immediately this government pulls the rug out from under them.

It is probably part of the removal of some traditions. It is like the tradition of the oath to the Queen, which is a tradition they removed, and then the OPP Golden Helmets, which we have all been so proud of in Ontario, and which they removed. They also removed the OPP Pipes and Drums that have provided the wonderful music in so many communities in this province, them, and now the Ontario scholarships are gone.

All the people are going to get is some kind of letter from the Minister of Education saying: "Well, here we are. We have our recognition because I have signed it and I am the Minister of Education, and you should be proud of that." Those young people and their parents are going to be concerned that the \$100 worth of recognition, money which I am sure went towards books and other educational supplies, in subsequent years is not going to be available to those people. I thought it was a good investment, and it is no longer going to be there. I am sure those who are involved in the education profession would agree with that.

We look at the borrowing that the minister is involved in, and he saved a minor amount of money in that regard. That is how they disguise it, as some kind of cost-cutting measure. I should not say "disguise it." That would be unfair. They have decided that it is going to be the cost-cutting measure, but then we see how other parts of the economy have been treated, how there has been money for certain things and not money for other things, and that is what the public begins to question.

All of us in the three parties represented in the Legislature met with, during the election campaign and previous to that, a lot of members of the nursing profession, people whose services I think, in terms of the monetary reward, had been undervalued for a number of years, people who play a very significant role in the delivery of health care services in Ontario. In recognition of this there was a kind of settlement that I think many in the nursing profession thought was much fairer than the circumstances that had existed for a number of years. This is as it should be. We were losing people from the profession, people were not coming into the profession in as great numbers as previously and I think the settlement reflected the value of nurses to the health care system.

What happens is the provincial government does not provide to the hospitals sufficient funding to be able to meet those obligations, to pay their nurses more, and the result is the hospitals are now in some cases contemplating and in some cases already laying off nurses who provide that kind of essential care. Why is that? It is because there

is not a sufficient amount being provided by the provincial government in that regard.

It is a matter of establishing priorities. I have said this on a number of occasions in the House, but I think it bears repeating. It is a matter of looking carefully at each of the expenditures. I do not know who sits on the Management Board over there. I suspect the Treasurer does and the Chairman of Management Board and there may be some others.

I sat on Management Board for five years. Members have to really be unpopular if they sit on Management Board, because their job is to say no on some occasions and yes on other occasions. They get lobbied by various ministers and civil servants and so on that their particular cause is the one that should be financed. It is a tough thing to do, because I know it is easy to say it as a member of Management Board, until they come along to the ministry you happen to represent. Then, of course, the emphasis seems to shift a bit.

There are a lot of programs out there that were hatched many years ago—

Hon Mr Laughren: The Minister of Education is on Management Board. She does a fine job.

Mr Bradley: “She does a fine job,” says the Treasurer. That remains to be seen. I did not think she would have time for Management Board with all the matters she has been engaged in in Essex county. I thought that would be a full-time job itself in meddling—sorry, being involved in Essex county.

What the Management Board has to do is look at the old programs. There are some that have been there for years and years. I guess they are kind of nice to have around, but I must say they are not essential in some cases. So ministers have to go and say, “Is this essential now?” If it is not, they can eliminate that program and they can take the money from that program. The way ministers reward the programs is they let them take the money from that program and put it into another program that is more important in their ministry, or perhaps to reduce expenditures overall.

The problem with ministers in years gone by, I suppose, has been that there has not been that reward. I suspect that is the case today. There is not that reward for efficiency, and nobody wants to lose how much he is spending this year by cutting back, because Management Board next year will say, “You don’t need that much money.” It is sometimes a boring exercise, it is a tedious exercise, but by gosh is it important to be able to do that in the government of Ontario.

I have received from the member for Mississauga South a note which says, “Don’t forget I must follow you soon,” with “must” and “soon” underlined. She wants me to provide her with the opportunity to do so and, as always, I want to be relatively brief, but I know there are members from Windsor and Oakville, St Catharines, Oshawa, St Thomas, Tillsonburg and other parts of the province who would want me to talk about the problem of the tax on auto workers, who would want me to come back to that.

I thought there were a lot of people over there, including the Treasurer, who would be sympathetic to the plight of auto workers in this province. Instead, we see a tax being levied on these hardworking individuals who dedicated their lives to producing excellent vehicles for the people of this province and for export. These are people who have invested their time, effort and energy in these plants and making the parts for those vehicles, and the thanks they are getting from the Treasurer of this province is a tax on auto workers.

1610

I know there are often conflicts between management and labour in many fields, but one place they appear to have united is in their opposition to the ill-conceived tax put forward by the Treasurer. Obviously there was not enough consultation. Obviously he did not listen to the Minister of Labour, who would know all about this. I have been in the Canadian Auto Workers hall in St Catharines with the Minister of Labour, on the same platform, and he and I had been agreeing on certain matters at that time. Knowing the Minister of Labour as I do, I know that the Treasurer has not listened to his representations, because he would speak out on behalf of workers in this province.

As for the member for Oshawa, the Minister of Industry, Trade and Technology, his father was a member of this House, a person well known in the trade union movement in Ontario. I know if he had had the opportunity to have representations previously, he would have convinced the Treasurer of this province not to impose the tax on auto workers.

The Treasurer will come forward and say it doesn’t really affect these vehicles in the province of Ontario. But what he does not take into consideration, I believe, is that it is not simply the assembling of automobiles in this province; it is the automobile parts. Therefore, when he puts the tax on these vehicles, he is taxing those who are making those parts in Ontario.

So I now see that there is a pretty broad coalition. The environmentalists were in the other day. Friends of the Earth, a well-known, well-respected environmental group, came in. They had a press conference here at Queen’s Park and indicated that they were not even satisfied with the manner in which the Treasurer had implemented this tax.

He says, “Well, this is environmental.” He likes to say it, because he knows that I used to be Minister of the Environment. He thinks somehow he can work on the pangs of conscience. But I have a solution for him, and I have advocated that solution to him. Instead of penalizing auto workers in this province, instead of putting a tax on an automotive industry that is stuck in the midst of the deepest recession since the 1930s, instead of taxing an industry which is facing really tough competition from the United States and from Mexico, from other countries in the world—and, of course, this affects the other industries, such as the steel industry and the plastics industry and the other components that go into vehicles and those who service those plants—he could have, and I have advocated it, provided incentives for people to purchase new vehicles in Ontario.

I know all the members who represented Hamilton and Sault Ste Marie and other places that produce steel would say, "By gosh, that's going to help us too." In fact, there is even nickel in some of those cars, and perhaps copper in some of those vehicles. The people of Sudbury would then be able to say, "By gosh, this Treasurer does understand working people in this province and the consequences of his tax for working people." What he wants to do is not going to help the problem of pollution or the problem of conservation as much as what the finance critic for the official opposition, formerly of Sudbury, has suggested to save the people of Sudbury, and that is providing incentives.

It is one of those win-win situations that everybody looks forward to—the Premier would really look forward to it upon reflection, no doubt—and that is this: How do you save the environment and how do you save the auto industry at the same time? Quite simple. You encourage people, through financial incentives, perhaps the removal of the provincial taxes on those vehicles, to buy new vehicles.

Why new vehicles in the midst of a recession at the present time? Some people may not have advocated that if we were not in a recession. Some people may have said if the Treasurer had implemented what he did in boom times, perhaps the industry might have been able to sustain it, but in the midst of a recession, where they are laying off in the auto industry, where the companies are losing all kinds of money, where workers are under great stress and recognizing in all plants there could be closings? I saw in the St Catharines Standard the other day apprehension in the workforce in St Catharines about the future of the plant there that employs over 8,000 people in terms of the production of parts for vehicles in this province.

My solution, which I am sure the member for Mississauga South, who is going to be speaking next, would agree with, is that they provide an incentive to purchase newer vehicles. The brand-new vehicles have much better pollution control equipment on them and they are much more fuel-efficient. Every one of them is much more fuel-efficient than the same model 10 years ago. Every one of them has better pollution control equipment than the same model 10 years ago.

We could have said to the Treasurer of this province, "Mr Treasurer, you're not Pink Floyd, but Green Floyd." Instead, we have got Blue Floyd. He is taxing the money away from the people and certainly is not doing anything good for the auto industry.

What else would happen? What is the other consequence? The other consequence of the plan I have advocated for him is that the automobile industry gets a shot in the arm. People are buying the vehicles, and of course the people who work in the showrooms and the dealerships and so on are going to be employed. There are so many people who are going to benefit from this plan I have, instead of putting a tax on auto workers in the province.

The Minister of Labour made some considerable changes in the bill he proposed before the House, and he made those changes knowing full well that the headlines would be in various papers, as they were, the government does a flip-flop or it withdraws or it is backing down and so on. But the Minister of Labour recognized that his piece

of legislation was essential for workers in this province and that if he were to modify that legislation, if he were to make the sufficient changes in that legislation, there would be a broader consensus of support for it.

Now I say to the Treasurer he has an example in the Minister of Labour, who has made the necessary changes when he has received the criticism, when he has received input. When the Treasurer has his meeting on I think Monday 10 June with Bob White, who is the head of the Canadian Auto Workers and a person who cares passionately about the workers he represents, when he has representatives of the auto industry, who want to retain a viable industry in this province when he has whoever else he has invited to that meeting—certainly it was not the car dealers; they were shut out, but they had representations indirectly, I guess, through this House. Certainly it was not the environmental groups; they were not invited in, but they have made their representations anyway, and perhaps now have been able to kick on the door long enough that the Treasurer has let them in to have representations. I hope on Monday of this week the Treasurer will approach this with a very open mind.

Hon Mr Laughren: It isn't Monday.

Mr Bradley: Whatever day he meets with them, Monday or Thursday, either the 10th or the 13th, I hope that the Treasurer will approach this with an open mind, that he will listen to the broad coalition out there against this tax, that he will withdraw it.

When he withdraws it, I am not going to hoot and holler. I will say, "Sound the bugles of retreat," because I would have to say that. I mean, that is standard; I must say that, but at least I will be saying it with some admiration for the Treasurer. I will be saying: "Here's the Treasurer who came up with an ill-conceived tax. Here's the Treasurer who had a tax that was really hurting auto workers in this province, and what he's doing now is listening to the representations and he's prepared to make the change. He's prepared to show everybody in the province that this wasn't simply a tax grab, that in fact it was a desire to improve the environment, and he's got a chance to improve the economy too."

I know a lot of his caucus members—I do not want them to get up in the House today and make the same statement, because they will make that in caucus. On Tuesday morning they will assemble and they will let the Treasurer know exactly what they think. We on this side like to say, "Why don't you get up in the House and ask the question?" It is not realistic that we would expect that to happen, except perhaps the member for Welland-Thorold, who is known for being somewhat of a maverick from time to time. He might do so, but most of the other members would not.

Anyway, I could go on at some length, but I will not do so. As I conclude, I will say that as a result of the fiscal policies of this government, despite the second trip of the Treasurer to New York City, cap in hand, seeing the bosses of Wall Street and asking for forgiveness and asking if they would be considerate, we are still downrated by all the rating agencies, which means that we have to pay more

for the money we borrow. That is why this borrowing is so much, and that will continue to increase, because we have incurred such a huge deficit this year and project such huge deficits after that.

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Hon Mr Laughren: You want to make it more.

Mr Bradley: The Treasurer says others would want more. I think they would look for him to rearrange his priorities in the appropriate fashion.

As I mentioned the Management Board exercise, I will not go through that again, because it is tedious for most members to hear it. They do not like the Management Board when it is doing its job properly.

I must say, the particular Management Board of which the Treasurer and the Chairman of Management Board are a part must be very popular, because it certainly appears that the ministers all came into the vault, reached in and hauled out as much money as they wanted, except for the odd program that we have brought to their attention. Other than that, they have probably had free rein.

We hope that the Treasurer, having heard through the headlines and through the electronic media what the Liberal task force on the budget is hearing, what the Conservative task force on the budget is hearing, and later on, having been dragged kicking and screaming into it, what the overall legislative committee will hear, will make changes. If he brings in a mini-budget, as they call it, in the fall and if he comes to the House and begs forgiveness and says, "You know, I thought I was doing the right thing when I brought this budget in, I thought the measures there were reasonable for this province, but it appears that a lot of people disagree with it and I'm prepared to make modifications," I will say, as I did of the Minister of Labour, that he is open-minded to those changes.

I know the Minister of Labour worked very hard on his legislation. He obviously ran into some people in cabinet who were not as anxious to achieve what he wanted to achieve as he was, but he made his modifications. Give the man credit for doing that.

If the Treasurer would follow his example of being considerate of the viewpoint of others, of making the necessary modifications and bringing in a good bill for the province of Ontario—probably, ultimately, after it is finished going through all the steps in this House—I would be the first in the House to applaud him, and certainly I would rise in the House to extol the virtues of a Treasurer who would admit he was wrong, who would admit his budget was a disaster and would in effect bring forward a new budget which is much more responsible for the people of this province.

Mrs Marland: Particularly, I express appreciation to the member for St Catharines, since he did not spend an undue amount of time in this debate, as he could have done, and certainly as his colleague the member for Renfrew North did yesterday afternoon.

I appreciate this opportunity to take part in this debate. I say at the outset, for the benefit of the members in the House at this moment, I do not look forward to their calling the matter before us occasionally throughout my com-

ments, the matter being the loans, the authority of this government to borrow on the credit of the consolidated revenue fund. I say that because I did have the pleasure of discussing yesterday with the Treasurer the appropriateness of my comments today as compared with yesterday's supply bill. With that preamble, I would like to resume the debate.

First of all, I welcome this opportunity to participate in the debate on the second reading of Bill 81, An Act to authorize borrowing on the credit of the Consolidated Revenue Fund, and to express my non-confidence in the NDP government's fiscal policy. In fact, I will be talking about their total lack of fiscal responsibility.

Ontario is still reeling in shock at the Treasurer's plan to run up a massive deficit of \$9.7 billion this year, more than triple the deficit of last year and the largest deficit in the history of this province. We have lost our triple A credit rating, a sure sign that we are in trouble. It is also a sure sign that the business community does not accept the Treasurer's argument that this is a recession-driven deficit; and no wonder. The Treasurer's own officials have admitted that \$1 billion, or in other words, more than 10% of the deficit, results from new programs being introduced by the NDP government.

Given the strains on the provincial coffers from the rising social assistance costs and declining revenues, the responsible thing to do would have been to freeze all new program spending. Instead, the NDP has inflated an already huge deficit by adding another \$1 billion of new programs. Such fiscal irresponsibility is truly incredible.

As well, even after Ontario pulls out of the recession, probably later this year, the NDP will continue to operate with an enormous deficit: \$8.9 billion in 1992-93, \$8.4 billion in 1993-94 and \$7.8 billion in 1994-95. Indeed, by 1995, the NDP government will have taken just four years to double the deficit that was accumulated during the past 125 years of Ontario history.

I ask the Treasurer: Is that a record to be proud of? Does he look forward to reading in the history books that he set Ontario on the course of spiralling deficits and higher taxes to service the escalating public debt? I ask the other government members: Will they be able to explain to their children and grandchildren why, even when Ontario was not in a recession, they continued to mortgage their future by spending more than they could afford?

Members on both sides of this House are hearing from many people who cannot believe how much they are paying in taxes. Indeed, many of the Mississauga South constituents who have called my community office about the budget are talking about tax revolt or even moving to the United States. One gentleman, who could barely contain his fury over the NDP budget, wants to know if we are advocating civil disobedience.

It is unbelievable that a government would introduce a budget containing 14 tax increases during a recession. Ontario is already the highest-taxed jurisdiction in North America. What is the NDP trying to do, set a world record?

With the budget's increased taxes on gasoline, cigarettes and alcohol, even more people will be lining up at border crossings to take their buying power south. That is

some help at a time when cross-border shopping is seriously jeopardizing Ontario's retail sector. And these tax increases certainly will not boost employment in Ontario. The only significant job creation from this budget will be in the American border towns.

Mississauga Mayor Hazel McCallion is particularly critical of the NDP government's lack of attention to unemployment and job creation. As she points out, the province could create jobs in Mississauga if it would proceed with two joint provincial-municipal projects that the province is holding up.

For instance, by freezing the development of the land surrounding the Britannia Road landfill site, a garbage dump which is supposed to close this year and may be expanded because of the garbage crisis, the NDP is holding up the construction of non-profit housing. This construction would create jobs, not to mention the affordable housing that is desperately needed.

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Another example is the Highway 403 arterial road, the construction of which could proceed if the province would proceed with negotiations over a piece of land it owns. Again, jobs would be created and transportation infrastructure would be gained.

Returning to the 14 tax increases in the budget, the increase in the gasoline and diesel fuel taxes is particularly harmful. These taxes rose 1.7 cents a litre immediately after the budget and will rise a further 1.7 cents a litre next January for a total tax increase of 30%. These tax increases do not affect just those people who drive. They have an adverse impact on virtually every person in Ontario, since businesses and consumers rely upon goods which are shipped by truck. Our trucking industry is having enough trouble competing with the deregulated United States trucking industry. It needs these tax increases like it needs a hole in the head.

The Treasurer introduced the gasoline tax increase in the name of the environment, saying it will give people an incentive to rely less on their cars and use public transit more. However, he has not dedicated the tax revenues to environmental programs. We have already seen what a sham the Liberals' tire tax was. Only \$16 million of the \$45 million collected in the tax's first year was actually spent on tire recycling. Until the government creates a special green revenue fund, to be used only for environmental purposes, any announcement of so-called environmental tax hikes will remain a farce.

I have talked about the unreasonable tax hikes in this year's budget, but things are going to get much worse in future NDP budgets. If people think they pay too much tax now, wait until they see the tax increases that will be necessary down the road to control the NDP's monster deficit.

After the expected recovery from the recession, the Treasurer says, government spending will rise by 22.7% over three fiscal years, while revenues for the same period will rise by 32.6%. Explaining those figures, the Treasurer says: "Much of this revenue growth will occur naturally as a result of economic growth. However, revenue moves may be required to achieve the target rate." In plainer English,

I would suggest that perhaps "revenue moves" means tax increases.

The Treasurer gives us another glimpse into our high-tax future when he says he has instructed the Fair Tax Commission to fast-track its consideration of a minimum corporate tax and a land speculation tax. What is the Treasurer trying to do, drive businesses and investment capital out of Ontario? We are quickly losing our competitive place in the international economy. A measure like a minimum corporate tax, a tax on the sector of the economy that creates most of our new jobs, will prevent Ontario from returning to the competitive position we used to enjoy.

One of the constituents who called my office to complain about the budget is a small business person, Kim Weaver. Mr Weaver called this budget "totally irresponsible and antibusiness." He said this is not the way to turn our economy around and predicts that if the NDP continues on its course, our province will go broke and investment dollars will go where there is a better economic climate. As Mr Weaver said, the corporate sector of the economy has been badly hurt by the budget, and just at a time when the recession has made companies extremely vulnerable. They are, after all, having to close plants and lay off people at a time when the provincial government is showing no restraint in its salary negotiations with its civil service.

It is not only the business sector that is feeling the pinch. Municipal governments and their taxpayers have had their financial health eroded by the offloading of the previous Liberal government. The corporation of the city of Mississauga prides itself on a responsible fiscal management and, as Mayor Hazel McCallion says: "We do not believe in debt financing. The federal government has already mortgaged our future. Now the province has fallen into the debt financing trap, but we at the city of Mississauga do not believe in mortgaging our future."

Unfortunately, it is going to cost municipal ratepayers more and more for municipalities to have responsible, balanced budgets, since the province is picking up a smaller and smaller share of program costs, even though the programs are required by provincial legislation.

For instance, regional municipalities face escalating welfare costs because of the recession—on average, two thirds more than they paid last year. The increase for the region of Peel is even more. Their welfare case load is up 73% from this time a year ago. Because municipalities are responsible for 20% of the cost of general welfare assistance, municipal ratepayers are facing the possibility of huge property tax increases next year in order to pay the welfare tab.

The municipalities badly need relief from the escalating welfare burden. In fact, two reports, the report of the Provincial-Municipal Social Services Review Committee and the report of the advisory committee to the Minister of Municipal Affairs on the provincial-municipal financial relationship, have recommended that the province take responsibility for the full cost of welfare services in order to ease the unfair burden on property taxpayers. Yet the Treasurer said that of the \$215 million earmarked this year for

welfare reform, only \$25 million will go towards the costs incurred by municipalities.

According to Bob Richards, who is the treasurer and commissioner of finance for the region of Peel, this figure is "miles from the full cost of general welfare assistance." Welfare costs, just for the region of Peel, amount to \$10 million a year. In fact, the \$25 million probably will not be sufficient to cover municipalities' 20% share of the costs of welfare reform. Bob Richards fears the reform measures will actually increase Peel's welfare costs. It is no wonder that Mr Richards calls this government's first budget "the budget from hell."

Frank Bean, chairman of the region of Peel, said he had hoped the budget would phase out municipalities' responsibility for welfare, as recommended in the reports on the provincial-municipal relationship. However, there is no indication that the government will proceed with those recommendations. What is worse, the government will be loosening its accountability requirements for social assistance recipients, so that welfare costs could escalate. Mr Bean has told the government, "If you're going to relax the rules, please take me out of the picture." If the NDP government does not cover the full cost of welfare reform, then it will have backtracked on its promise not to offload on to the municipalities.

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Unfortunately, we already have an example which shows that the NDP plans to continue the offloading practices of the previous Liberal government. The Solicitor General has withdrawn the OPP from investigations into family benefit fraud, in other words, from policing that is required for a provincially mandated program. Now the fraud investigations are the responsibility of the regional police forces. In Peel this policing is placing financial demands upon the Peel Regional Police, which will probably have to be met by increasing property taxes. Let this be a word of warning to the NDP government that municipalities, school boards and ratepayers in Peel are fed up with having to carry more than their fair share of the tax load.

This government must consider that since 1985, the greater Toronto area has experienced 26.3% inflation, but in the same period property taxes on an average home in Mississauga have risen by 45.8%, from \$1,781 per year to \$2,597 per year. In my riding of Mississauga South, which contains many older neighbourhoods with large lots—and of course those large lots originally were subdivided that way because there were no sewers and everyone was on septic tanks, before I get some chippy comments from the opposition about the large lots in my riding—nevertheless, those large lots exist and as a result it is not unusual to pay more than \$4,000 property tax a year on a simple bungalow.

Over the same period, education taxes in my city of Mississauga have risen by 50.8%. Last year, Mississauga residents faced education tax increases averaging 17% in one year because of reduced provincial cost-sharing combined with offloading by the then provincial Liberal government.

People are so disillusioned that tax revolt is no longer just a concept. It is happening. Some of my constituents

have deducted from their interim property tax bills money they believe they are being overcharged. However, it is not municipal or school board overspending that has sent property tax bills through the roof. Local governments and school boards have to provide essential services with less and less funding from the province. As the Peel regional chairman, Frank Bean, has said, "You can be lean and mean, but you can't do the impossible." No, it is provincial government offloading that is at the root of the tax revolt crisis.

Having looked at the effects of this government's fiscal policy on the municipal governments in my community, I would like to talk about its impact on the school boards in Mississauga. In its pre-budget submission, the Dufferin-Peel Roman Catholic Separate School Board welcomed the new government's "stated desire to return the provincial share of local education costs to the past level of 60%." Now the NDP 60% promise has vanished. In fact, the budget barely mentions elementary or secondary education.

Tom Reilly, director of education for the Dufferin-Peel Roman Catholic Separate School Board, says he is afraid that education has slipped as one of the current government's priorities. Mr Reilly points out that not one of the concerns his board raised in its pre-budget submission was addressed in the budget, even though the Minister of Education has told school boards that the Fair Tax Commission is examining the problems of educational finance and will develop a new funding formula. The changes may not come soon enough. School boards need help now. For example, those school boards in Peel are having to use operating funds to meet urgent capital needs because the capital allocations are insufficient to match pupil growth.

The Peel Board of Education opened four schools last year using operating funds because the Ministry of Education phases in capital allocations over a multi-year period. These multi-year allocations are also causing problems for the separate board, which is having to assume unnecessary interim financing costs. Both the separate board and the Peel Board of Education have had to increase local taxes or cut back programs to cover the costs of provincial requirements. The combination of the employer health tax, pay equity, new occupational health and safety requirements and the Freedom of Information and Protection of Privacy Act, all provincial initiatives, cost the separate board \$5.5 million and the Peel Board of Education \$14 million last year.

The Peel Board of Education is also concerned about the budget's allocation of \$100 million for pay equity. The board does not yet have the details on how much of the \$100 million it will receive. However, if it receives provincial funding for pay equity in the same ratio as its grants, that is, less than 20% of the costs from the province, then it will be paying \$4 million more this year to implement pay equity for its teachers. I ask the Treasurer, where is the equity if the school boards with the greatest pay equity costs get the least money from the province to implement pay equity?

Like the education system, the needs of seniors and disabled persons are conspicuous by their absence from this budget. One really has to wonder when the government

plans to implement Bill 74, the Advocacy Act, when there is no allocation for advocacy in the budget. As I mentioned in the debate on Bill 74 earlier this week, we must take steps to protect vulnerable persons in the interim period until the advocacy commission is up and running.

In addition, what ever happened to long-term care reform? There is no mention of it in the budget either. The comprehensive study commissioned by the last government is now gathering dust. This is rather surprising when the NDP, while in opposition, regularly called for long-term care reform.

Another social issue of great concern to many of my constituents is child care. This government is discriminating against private day care operators, their staff and the children they care for by advancing funds for pay raises only to public sector workers.

As well, although the NDP recently provided funding for more subsidized day care spaces, many municipalities could not provide the spaces. This is because their budgets are already so strained by rising welfare costs that they could not come up with their 20% share of the costs. For example, the region of Peel had to close one day care centre over the past year. It did manage to open another one, but had to leave approved subsidized spaces unfilled. Peel could not afford to take advantage of the extra money being offered by the province.

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The budget also neglects the equitable funding of social services. A recent report by the Fair Share for Peel Task Force has pointed out that on a per capita basis, Peel receives far less provincial funding for children's and family services than the provincial average. For example, in 1989 the children's services funding was only \$93.62 per capita in Peel, compared with \$353.75 in Metro Toronto and a provincial average of \$223.82. That is a large and totally unacceptable discrepancy.

The task force called for a change in the way the province allocates funding to social service agencies in order to ensure an equitable funding base across the province. In fact, the report was a pre-budget submission, but the Treasurer has ignored the recommendations of the task force and the groups it represents: the Peel children's aid society, Peel Family Services, Peel Children's Centre, the Peel social planning council and the United Way. In fact, the NDP government has shortchanged the children and families in Peel.

The concerns that I have just tabled in this Legislature on behalf of my constituents in Mississauga South are indeed serious, they are indeed grave, and we look to this government to reconsider its priorities in terms of financial policy for this province.

Mr Christopherson: I am also pleased to join in this discussion primarily on the budget, although the matter before us is indeed the Ontario Loan Act, which is necessary for us to implement the measures contained in the budget.

I would like to reflect on a couple of comments made by the previous speaker. One of the comments that struck me most was—I am paraphrasing—"Taxpayers are fed up

with carrying more than their fair share." I thought that very, very interesting from a party whose federal cousins have had the opportunity to run the national economy for some seven years now. In yesterday's Financial Post there was a report that contained the results of a study showing that an average family, income of \$48,000, will now pay over \$1,500 more per year in federal taxes since the federal Tories took power in 1984. That is the very same group of people whom the third party professes to now speak for. I would submit that if they had the opportunity that has been afforded us, instead of helping these people as our budget has done, they would be hammering those people in exactly the same way as their federal cousins.

Further to that, to put some figures to the comments: For an income group of \$35,000 to \$40,000 per year, between the years 1984 and 1991 there were 63,000 families whose taxes decreased. But of that same group, 1,021,000 had increases. That is the group from \$35,000 to \$40,000.

Now let's take a look at the group that makes \$150,000-a-year plus. The same column shows us that there were 31,000 families whose taxes increased in that period, but that for 94,000 taxes decreased. I make the point because it is difficult to be listening to lectures from across the way about doing what is right for middle-income earners in this province when that very philosophy in action at the federal level is hurting that very group of people. We have the stats to prove it, and I find it very difficult to listen to those lectures time and time again.

Property taxes were mentioned. The issue of property taxes is one that is affecting an awful lot of seniors, those on fixed incomes and of course those who are on low incomes. One of the key promises we made in the campaign was that we would pay particular attention to the needs of property taxpayers. How best can we do that as a provincial government, you might ask? We do that through the transfer payments. Indeed, it has been the transfer payments of the previous government, which were frozen, flat-lined, and in some cases decreased, that forced municipal councils and local boards of education to increase their property tax mill rate way beyond what they wanted to.

A good example is my own community in Hamilton. This year my city council was able to bring in a tax increase of just 1.9%. Even those who are not members of our particular party acknowledge that the generous transfer payments averaging 8% announced by the Treasurer earlier this year went a long, long way to allowing them to be able to pass on such a low increase in property taxes.

The local school board came in this year at 1.08% for much the same reason under our NDP government, the ones who are supposedly so irresponsible. We were able to play a significant and major role in that school board's bringing in a 1.08% tax increase.

What was it last year under the previous government? It was over 18%. This 18% is what the people on the board of education had to do in my community, by and large because of the inattention of the previous government to the needs of local government. I am pleased to see that in our very first budget we are going such a long way to

meeting the commitments that we made with regard to our transfer partners.

Let's take a look at a few other things while we are listening to opposition members criticize, condemn and attack the budget. They want to pay particular attention, of course, to the deficit. The deficit is of significant concern to us also. It was not something that was done lightly or flippantly. But let's remember the fact that \$8.2 billion of the \$9.7-billion deficit was generated by the increased welfare costs which we are committed to pay by law—not that we would not—plus the reduced revenues, plus the billions of dollars that we are losing in transfer payments because the federal government, the Tories, have been cutting back on transfer payments to provincial governments.

We would submit that any government which wanted to at least maintain the services that are currently in place and meet the legal obligations that we have would be looking at \$8.2 billion, regardless, and that leaves \$1.5 billion that is the responsibility of this government. Quite frankly, we are quite proud and quite prepared to stand behind that money that has been spent.

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Let's take a look at what has happened in other jurisdictions across the country. Let's take a look at what is going on in the Maritimes where we have provincial governments that have followed a philosophy of cutting and slashing and ignoring the workers and their families who are being devastated by this recession. What are we seeing? Not what you are in Ontario, where outside the Legislature we have all the business people pouring out from Bay Street, coming out and picketing and demonstrating out in front of the Legislature. No, what we have in the maritime provinces, picketing and demonstrating out in front of their legislatures, are workers and their families, civil servants who are being made the scapegoats. Those are the very people whom we are helping with the \$1.5 billion that is our responsibility, and I am very proud of the fact that we were prepared to take the measures we did in that regard.

Let's also bear in mind that there was an article recently in the *Globe and Mail* from a very well renowned and respected economist, a Canadian, John Kenneth Galbraith, who wrote an article about the actions of governments in North America, and what did he say about the government of Ontario, in terms of fiscal responsibility and in terms of responding to a recession? He said we are the only government in North America that is attacking the recession properly in a way that needs to be done. So it is not just us alone, and it is not just what the opposition would call our cronies. It is a lot of well-respected individuals who understand what we are doing, who understand the care and compassion that is behind this budget. They know that the alternatives would only exacerbate the situation for an awful lot of working people in this province who are already taking an unmerciful pounding, and this, quite frankly, is the very least we could do.

I would end by saying that in terms of responsible government, and in terms of responding to the needs that are there, we have put in place fiscal management plans that will allow us by 1994-95 to reduce the operating budget

from \$5.4 billion to \$3 billion, and by 1998 that operating budget will be eliminated and—

Mr Stockwell: Don't worry about 1998.

The Acting Speaker (Mrs Haslam): Order. The member is not in his seat. The member for Etobicoke West has just entered, has not been recognized and is not to take part in debate. Thank you.

Mr Christopherson: I suspect that if the antics of the member for Etobicoke West continue, the operating budget will not be the only thing eliminated by 1998.

I would close, because I want to afford the opposition members their opportunity to speak to this important matter. But I would like to wrap up by again saying and making it crystal clear to our honourable colleagues across the way, and all of those who are tuning in through this channel, that this government is not only prepared to defend this budget, the budget of the Treasurer, of the first NDP government in Ontario, but we stand behind it with pride because we know what it means to hundreds of thousands of people in this province who elected us to care for them and help them during this recession, and that is what we are going to do.

Mr Carr: I just want to comment very briefly. It is interesting to see that he quotes one of the authors from the United States. I am reading an article here and it is interesting how he talks about the federal government. Federal NDP leader Audrey McLaughlin, in the *Hamilton Spectator*, in the member's own area, saying, "Yes, I speak with Bob Rae, but it's his option and it's not my place to comment."

The member's federal leader is backtracking, backpedalling faster than a second-rate fighter in against Mike Tyson, on the member's budget, on this provincial budget. The member is always talking about what is going on between Ottawa and the Tories. He has in Ottawa a federal leader who is saying, "Oh, no, that isn't what we'd do." She is backtracking faster than any other person in this province, and I can see why. The NDP in BC said, "Oh, no, we would never do anything like that." They are backpedalling away from this. We have the leader, Mr Romanow, in Saskatchewan backtracking, saying: "Oh, no, that's in Ontario. We'd never do that." We even have Jack Layton, the NDP member in Toronto, saying: "No, we can't run up deficits. Don't blame me. We'd never do that."

In this province today we now see what it is like to have government members' counterparts in other provinces and federally defend what goes on. Audrey McLaughlin is backpedalling. She is getting as far away from that as she can, because she does not want to be tied to the policies of this government. Neither do the leaders in British Columbia and in Saskatchewan. They are saying: "No, that's Ontario. We'd never do that. We'd never do that." In Toronto they are backpedalling and they are saying, "No way."

I can tell members that the only people who are happy with this budget are the crew on that side. Nobody else in this province is happy with it, and four years from now we are going to see that there will be nobody left over there.

Mr Phillips: I am pleased to comment on the speech by the member. As he knows, he and I have, I think, a fundamental disagreement on the budget. Just to comment on a few things about the budget, One is that it is not just the \$9.7-billion deficit this year that people are worried about; it is the continuation of massive deficits right into the next century.

The member talks about balancing, he is very careful to say, "the current account." As the member will appreciate, there are also capital expenditures that have been an integral part of budgets for ever. The member will not be able to get away with saying, "We're going to have a new accounting system now; we're going to take the capital out." The fact is, he never balances the budget. The best he comes is about \$6 billion and then on into the next century, a \$6-billion deficit at least, year after year. So he never balances the budget. It is just hocus-pocus to say he does.

The second thing is that even in four years, as the Treasurer knows, to get to the \$7.5-billion deficit, there are two heroic assumptions. One is strong economic growth, real domestic product growth, in the 3% to 4% range. Second, to get to the \$7.5-billion deficit, he assumes \$5 billion worth of new taxes. People see through this. They say, "My God, it isn't just this year; it is for ever that we are in difficulty." Four years from now we need \$5 billion of new taxes, we need strong economic growth and we will get to a \$7.5-billion deficit.

The third thing, I think, and I appreciate the member's defence of it, but frankly, unfortunately, it is indefensible, is that the word "restraint" never appears anywhere in the budget, on any page. People out there are not looking just to the \$9.7 billion, but looking at the total budget.

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Mrs Caplan: I too want to comment on the remarks from the member for Hamilton Centre, who was referring to the impact of this budget. I wanted him to know that some of the major accounting firms in the province are alerting their clients to the impact of the budget. In quite a non-partisan but factual way, they say that superficially this budget follows a traditional Keynesian economic theory that promotes spending your way out of a recession. However, they say, under closer scrutiny there are two key flaws in the plans of the first socialist government in Ontario.

The first flaw is that, to be effective, government spending during a recession must be targeted to increasing competitiveness and productivity. While the budget provided for increases in welfare payments, operating subsidies for non-profit housing, a wage protection fund and some tax cuts for low-income workers, little in the 1990-91 budget can be said to be addressing fundamental productivity and competitiveness issues. That is the concern many of us have about the impact of this budget.

The fact is that it is shortsighted, that it brings into this province, as you have heard, Madam Speaker, a structural deficit. The provincial budget has been in operating balance since 1986 under the former government. What the member has just said he is proud of is the fact that those days of balanced operating and balanced capital budgets are gone for ever. What he is saying is that maybe in the

future the government will be able to balance operating, but he does not foresee, with the kind of structural deficit problems, that the government will ever be able to achieve the strong fiscal position we are in today. That is misguided and is of concern to everyone in Ontario.

The Acting Speaker: The member for Hamilton Centre has two minutes to wind up.

Mr Christopherson: Let me deal with the last speaker first, the member for Oriole. I would just point out that the price of the balanced budgets the party across the way is so proud of is exactly the measures that put so much pressure on the necessities of society in education, day care, pay equity, municipal transfer payments and all the other services. That is how they did it. They offloaded on to municipalities and made sure the areas that needed the money did not get it. Anybody can balance a budget that way. We said we were going to look into and look after those areas.

Next, to the member for Scarborough-Agincourt, who talks about the fact that there will be a balanced operating budget but not a capital budget, quite frankly, we have taken a step that should have been done an awfully long time ago and separated the two. There is nobody I know who has ever bought a house with cash. They do it because they borrow and they look at the cost of a mortgage as being different from the money it takes to operate a house every month. That is what we have done. Now the people of Ontario will be able to understand the difference and they will see it and there will not be the inherent concern over politics being played with capital projects in operating budgets.

The last thing I would say, to my honourable friend the member for Oakville South, is not to mind what is being said by people who want to be in government. Let us go a step further and look at the economic performance of NDP governments. Take a look at what Tommy Douglas did in Manitoba. Tommy Douglas was Premier for 16 years and he knew how to bring in budgets that people could support. Get ready, folks, 16 years of Bob Rae is coming.

Interjections.

Mr Callahan: I want absolute quiet. I have not been known to speak in this House very often. I only speak when I feel there is a matter of concern—

Interjection.

The Acting Speaker: The member for Oriole, please allow your own member to partake in this debate.

Mr Callahan: Do I have to repeat that, or is that on Hansard? I do not normally speak in this House unless I feel there is a matter of concern, and I do really believe there is one. Let me start by saying that Parliament, the legislative process—and this is part of it, believe me, do not call me to order, Madam Speaker—the Ontario Legislature, legislatures throughout this country, the Parliament of Canada, are really anachronisms. The people out there watching this on television think that. I have people writing to me and saying, "Can't we get rid of the government tomorrow?"

It seems to me, when they write a letter like that, they do not understand what happens down here. The fact is

that these guys are in here for four or four and a half years. They will probably take it down to the minute of five years, because they will never get another crack at it. But having said that, all the people in this Legislature have come here as men and women who care about their constituencies, about the people in their constituencies, but have diametrically opposed political philosophies. That being the case, then the question of Parliament and the Legislature has to be reformed.

I see the Premier is not here. I am not saying that in a pejorative fashion. I recognize he has other things to deal with. I say to the Treasurer, who is about to leave and I hope he does not, I think this government should be looking at—as serious as constitutional reform is; as serious as it is to look at the question of revamping powers in this province and this country; as serious as it is to look at the Charter of Rights and what it has done to our province and our country, and I suggest to members that has to be revisited; as serious as those things are, there should be a special legislative committee that will be enacted to look at the question of reforming Parliament, to make all of us more than an anachronism, to make us more than clapping seals over there.

I do not say that in a pejorative fashion either, because I was over there at one point and when the applause meter went on, you applauded; when the stand-up meter went on, you stood up; when the vote meter went on, you voted, and the reason you voted was because you knew that if you did not, you always had this feeling in the back of your head, “Hey, I can get into cabinet,” or “I can be a parliamentary assistant,” because you get extra money for that; or “I can be a committee Chairman,” because you get extra money for it. Those were always the perks that have kept the parliamentary system in order, in line.

Government members, if they think about it, are not carrying out the wishes of their electorate. They were elected by people in hamlets all over this province. Ninety per cent of their backbenchers are not even being used. Their grey matter is going to waste up there by applauding when it says “applause” up on this sign—it is not there really—“Vote this way because these are the things that will happen to you if you don’t vote that way.”

It is very interesting that this government got elected in an election which it did not anticipate winning. Every person on that bench is not a committed NDPer along the lines of NDPism. They all care about certain important things. I felt great pain for the Minister of Labour. All the years I have been in the House I have seen him as an advocate of the workers. I do not agree with his philosophy totally, because he was totally committed to the workers, and there is an even balance.

I would love to have been a fly on the wall in the cabinet when that man had to retract Bill 70, when he had to recant and go back to the workers who are important to him and say, “Sorry, guys, the bill is now a eunuch. It’s a eunuch because I was told in cabinet that it’s not popular,” and he was right.

The Premier is a bright guy; he is a Rhodes scholar. He knew exactly what impact that bill was going to have on his popularity and, more important—and I think the Premier

is an honest guy—what impact it was going to have on the economy of this province. So the Premier finally took the reins of control, instead of the consensus stuff that those guys operate by, and he said, “Look, Bob, you’ve got to withdraw those bills.”

I feel sorry for the Minister of Labour, I really do. I have great respect for him in terms of his commitment to the workers of this province, but he was hung out to dry. It was an option like the member for Welland-Thorold. He was not prepared to say to the Premier: “I want my car; I want my ministerial position and therefore I’m prepared to capitulate. Lawyers are going to get what I promised them during a debate in this Legislature”—which lasted historically for a longer period than any other member has spoken—“that the right to sue will be brought back to insurance legislation.”

The member for Welland-Thorold at least had the guts—and I do not say this pejoratively to the Minister of Labour—to say: “Sorry, Premier. I promised it. If you want me out, fine, I’m out.”

1720

The Minister of Labour, for, I am sure, very good reasons—I think he is so committed to his labour people that he felt to stay in cabinet was more important than to leave. But I am sure that if I were a fly on the wall in that cabinet situation—and those members who are backbenchers can believe this or not, because they are never in cabinet. Those members do not mean anything, really. They are there, they are warm bodies to applaud, to vote and so on. I know of what I speak.

Interjections.

The Deputy Speaker: Order, order. The member for Durham Centre, if you want to shout or do anything, do it from your seat.

Mr Callahan: And he should do it on his own time, Mr Speaker, with all due respect, because I have only 15 minutes to make this speech.

The Minister of Labour had to literally denude his Bill 70, which was a proactive bill that was going to do marvellous things for the people of this province. It was going to make officers and directors, whether they knew about what was going on in the corporation, liable for up to 12 months in vacation pay, severance pay and wages. Now, they are already responsible for wages. Without any mens rea, without any guilty mind, if they were off doing their job and did not know what was happening in the company, they were still going to be responsible and they were going to be responsible for up to six months.

I applaud the Minister of Labour. I applaud his humility, his ability to be able to accept what his Premier and his cabinet colleagues told him, that he cannot go with this bill because they will never win another election, the province will be destroyed, so they will withdraw it. I suggest the Minister of Municipal Affairs and Housing will probably do the same thing with his, and with all the greatest respect, I think the Minister of Labour will probably do the same thing with his next employment bill.

Having said those things and having said that what we really need here—and if the members opposite really, truly

want to represent their communities, they have to pressure—they are the government; we are not the government—the Premier of this province to enact a special select committee of the Legislature to look at the question of reforming this body. All those people out there who voted for us, who worked for us, who cheer for us, who cry for us, are people who in fact think we are accomplishing what they sent us here for. We are not. Unless you are in the cabinet, unless you are the select group, you are accomplishing zilcho, you are doing nothing.

Hon Mr Philip: Why did they never put you in the cabinet?

Mr Callahan: The Minister of Transportation has just interjected and said, "Why didn't they put you in the cabinet?" Quite frankly, Ed, I did not want to be in cabinet. I did not want to be in the cabinet, and I will tell you the reason. I do not like limousines; they give me problems.

The Deputy Speaker: Order, out of order. Address your remarks through the Speaker.

Mr Callahan: Sorry, Mr Speaker. I was just addressing the Minister of Transportation, who seems to like to travel the country and also travel in his limo.

Quite frankly, being in one cabinet portfolio does not solve the problem. There has to be a reform of Parliament. If the people out there who are watching this understand that, they understand that the decisions are being made by a select group and, more often than not, by the civil servants.

Now, going to the broad, specific things, there are people here who represent the tobacco community, and I believe they are in the government party, who have to go out and tell their tobacco farmers, "Sorry, you've got to grow something else."

My good friend the Treasurer, and I say "good friend" because he is a good friend and I think he is a very well-meaning person, but he has come up with a budget that is absolutely wacko. He is destroying the people in this province who grow tobacco.

He may think he is doing a great thing for the environment, a great thing for health and all the rest of it, but I would suggest to the Treasurer, instead of punishing one area of this community, our farmers who grow tobacco—and as I understand it from people from the communities that grow tobacco, that is all you can grow. They have tried peanuts. I suggested that maybe they should try something else, to use their imagination, but the fact is they cannot grow anything and the fact is their land has now become less valuable to them. The government has in fact taken it away from them.

I caution the people who are members from tobacco country, when they go back to tell their people about what they have done, they can tell them they went like clapping seals. "What decisions did you make in caucus?" "Well, I spoke once in three years," if you are lucky, with that many members. I know of what I speak.

Interjection.

Mr Callahan: Why does the member for Durham Centre not sit down? He is not in his seat. He is out of order, Mr Speaker.

Instead of doing that, what the government should do—

Interjection.

Mr Callahan: Oh, the former Minister of Health, who I greet back into the cabinet eventually. If the NDP members wanted to do something positive, I will give them a positive promise. Why do they not tell the Treasurer that if somebody wants to smoke, he should not tax him to death; he should make him pay his OHIP premiums. Everybody else gets it free. Make the person who smokes pay his OHIP premium.

Mrs Marland: Everybody gets it free.

Mr Callahan: I realize that. The member for Mississauga South is telling me that everybody gets it free. What I am saying is that if a person wants to smoke or do anything else to excess, let him pay his OHIP premium. Let that be the tax on him. Do not penalize everybody for it. Do not penalize the farmer, who may not smoke at all, and say he cannot grow tobacco any more and create a loss of jobs. Be creative, do not be reactive. The Treasurer should not let some group tell him that because they do not like smoking, everybody should be penalized or that the sin tax is great. "Put a tax on everybody because it is a sin." Surely to God we have got out of the sin era, where we can look at things as realistic human beings and try to approach them.

The next thing is the commonality. I find the New Democratic Party objectionable in this regard. It would like to reduce everybody to a common aspiration. Some of the members on the government side are laughing because they think it is funny, but I would tell the people of Ontario who are watching this in a realistic vein, they took away the oath to the Queen; they tried to take away the opening prayer of this Legislature, which was stopped, thank God. They have any number of things that they want to introduce.

They took away the scholars' \$100. That may not mean a lot to members, but to those kids who got it, it was a tradition. The government says, "Well, we'll get rid of it because we are trying to save money on our budget." I find that passing strange, when I find that for political reasons the government party would lose \$500 million out of the budget by not putting the GST on the provincial sales tax, to follow an election promise. The kids of this province who are Ontario scholars, who worked hard for it and who saw that as a particularly important thing, are going to lose their \$100 because the Treasurer, the Premier and the government wanted to make it a big thing that they performed an election promise by putting no GST on PST—\$500 million.

That money could have been spent in my riding to fulfil a promise of the present Premier of this province when he was out in Huttonville talking to the farmers in the field, talking about potatoes on the hustings. A great guy. He promised to get rid of the portables in my riding. Let me tell members what that man did. The Peel public school board asked for \$81 million for new schools and additions. We are the fastest-growing, the largest-growing—the member for Sudbury East should not yawn. The House leader is now yawning. I guess I am putting her to

sleep. The public school board in my riding, the fastest-growing riding in the country, asked for \$81 million. Do members know what they got? They got \$31 million.

If the Treasurer and the government had decided not to play political games, to keep their so-called promise and take the \$500 million they lost because they did not put the GST on the PST, that money would have been there for these kids to get out of the portables.

Bob Rae came out to my riding, and in a gesture of great theatrics, because he did not think he was going to be Premier—and there is his picture; I hope they can get a close-up of that, Bob Rae standing in a field in Huttonville in my riding. It apparently worked out that at the time the cameras just rolled in, as the portables were there, Bobby Rae, who did not expect to be Premier—and one suspects he might not be—was going to get rid of these portables. The people of Huttonville, Bobby Rae, if you are watching, Premier, want to know what happened to that promise. Where is it?

Let it be known that members of the government are laughing. They think this is funny. The people in my riding do not.

The Deputy Speaker: Order. Just make sure you address your remarks to the Chair. Do not try to exchange a challenge with the government. Just speak to the Chair.

1730

Mr Callahan: I am glad you called me to order, Mr Speaker. I will do what the Solicitor General does on all occasions. He speaks through the Chair so he does not have to look at any other members of the Legislature when he tells his stories about his insincerity, his insensitivity to the entire justice system.

I want to tell you, Mr Speaker, that out of that, my riding got \$31 million. In the portables in the region of Peel, as my colleagues from all of the Peel region could tell you—and we are not of the same party; we are Liberals, we are Conservatives—we have 18,000 children, being educated in portables. Portable Bob came out and made a promise to become Premier, that he would eliminate all this, and has done nothing.

That is for the public school system. They have been deprived, as all the taxpayers in my riding and throughout Peel, and all my colleagues in Peel have actually been told—I will not say a lie, because I cannot say that, but certainly have been misled in that NDP promise to get to power.

The Minister of Education, the member from London, whatever her riding is, has the audacity to come into this House and do nothing to alleviate the problem. More important, Cardinal Leger High School was the first Catholic high school in Brampton. Cardinal Leger High School has kids coming out of the windows. They are in portables, unbelievable portables. They have been very significant kids. They are kids who have, I think, led Brampton people to have great accolades for them. Their teachers are fantastic people. They stay around to look after these kids, participate in sports, as do all our teachers.

That school took over a primary school on the promise that it would eventually get a high school that would allow them to not eat in—

Hon Mr Philip: Are those the teachers you would not negotiate pensions with?

The Deputy Speaker: The Minister of Transportation, please.

Mr Callahan: The Minister of Transportation, who is the member for Etobicoke-Rexdale, and I think the people in Cardinal Leger High School should know that, is laughing. He thinks it is funny. Let me tell the minister that the people in Cardinal Leger High School, the students in my community—

Hon Mr Philip: Cardinal Leger High School isn't in my riding; learn your geography. That's where your clients are.

Mr Callahan: That is probably where the minister's slum buildings are too, and he voted for a bill that was in favour of landlords.

The Deputy Speaker: Order, please. We just cannot go on like that. We just cannot. I know it is Thursday. We have another 30 minutes to go. Please remain quiet.

Mr Callahan: I am glad you can keep order in this place, because it is fine to see a Speaker doing that.

I want to get this point across, that the children in Cardinal Leger High School, the young men and young women, were ranked second in priority on the list of the Dufferin-Peel Roman Catholic Separate School Board. Over years they have waited. I have had young people who have come to me and said, "Mr Callahan, can't we get accommodations that will allow us not to have lunch on shifts?" I said to them, "You're guaranteed to get it." The trustees, who are independently elected by the people of Brampton South and the people of Peel region, decided they should get their day in the sun.

The Minister of Education, our newly elected Minister of Education, who probably got the same treatment as the Minister of Labour in cabinet, said: "No, look, we've got some special people out there who want Cardinal Leger not to get it this year. They'll get it next year or God knows when."

I find that objectionable, that when we have—

Hon Mr Philip: It was the previous government that did that. Why don't you tell the truth for a change?

Mr Callahan: I will not even respond to that, because that was a stupid statement by the Minister of Transportation. He is an idiot.

Interjection.

Mr Callahan: Well, if he can tell me I am not telling the truth, I can call him an idiot.

The Deputy Speaker: Order.

Mr Callahan: I withdraw "idiot."

The Deputy Speaker: I do not accept that language in the House. Will you withdraw it, please.

Mr Callahan: I withdraw it.

But the Minister of Education, on her own will, which seems to be the NDP idea—they can get away; justice is

special for them. They can send a letter to a JP to have a ticket withdrawn because they are special. They have the power to do it. Everybody else in Ontario, unless you are an NDPer, does not have those special, magical powers. They are entitled to do it.

They seem to think that they can interfere with the rights of trustees who are elected independently by the people in my riding who say that Cardinal Leger is entitled to funding. The minister just rejected that. She said Cardinal Leger will wait for another year, and probably another four years, because the NDP government is in power. They will take their luncheon in shifts. They will work in crowded classrooms. They will be in portables. The Premier, who was out in Huttonville, told us the panacea, "We're going to get rid of these portables."

That is all I am going to say for the people of Cardinal Leger, but I happen to think that school and the rights of the trustees have been trampled on by the Minister of Education.

Kirkland Lake: We looked at a marvellous display of how garbage could rejuvenate the north. It was the most exciting process I and my colleagues have seen for the north, and yet the Minister of the Environment, who was a marvellous person in opposition and had everything to say about the environment, for some staggering reason—I do not know whether she was being harassed in cabinet and prevented from doing it—says, "Everything will stay where the garbage is collected."

She made one mistake. She decided that the garbage in Kingston could be taken to Ottawa. The people in Kirkland Lake are being denied their process. They are not even going to get an environmental assessment, get a chance to see whether it would work, and it could be a boon for them.

The justice system: I want to deal with that, and I promised I would save some time for my friend from Etobicoke. The justice system in this province, and this is something I have been itching to say—and this is not just an indictment of the NDP; it is an indictment of my own party; it is an indictment of the Conservatives—has always been on the outs with the government. They never got a lot of money.

I would suggest, for people who are in power and have the right and the ability to be able to deal with the justice system, that maybe they should make available to every member of this Legislature a copy of *Bonfire of the Vanities*. I do not think a lot of people here know this, but I come originally from the south Bronx, and if they allow the justice system to be the pauper of the beneficence of the Treasurer, they will find they will have crime on the streets. If members think what we have now is difficult, think about it in the future.

We have people there who have problems with alcohol and drugs. The Board of Internal Economy refused us the opportunity to be able to go and travel to exotic places like Columbus, Ohio, Buffalo, places that are right along the border, because we wanted to go to look at the alcohol and drug addiction clinics they have there to determine whether they were worth spending \$500,000 to send one addict south of the border. We were denied that, because

the policy of that august body is, "We're going to save money."

1740

I think the shortcoming of most governments and most politicians is that they are myopic. They cannot see beyond the next election; they cannot see beyond a year in fact. If this government wants to plan properly, it must plan the money, redistribute it. The money that is spent on treatment for alcoholics and drug addicts effectively, both in society and within the prison system, will ensure that when the revolving door works and these people come back out, which they will, we are not going to have that kind of stuff on our streets. In fact, on a more positive plane, we are going to help those people and help their families, who are suffering because of their addiction.

On the other side of the coin, if we truly believe in the justice system—the correctional system being not one of vindictiveness but one of helping people—then we would look at that. We have people sleeping on the streets in the city of Toronto and all over this province. I cannot believe there is one member of this Legislature who can deal with that, can live with that, go home and sleep at night and think he has done a good day's work if he cannot solve that problem.

This government has a rent bill being brought in now that I am sure all tenants are going to think is great. I would if I were in a high-rise. But because there are not going to be any buildings built, it is going to require people to go out and buy a house. Now what are the costs of our houses? For \$200,000 you will be lucky if you can get a pigeon coop.

We are trying to compete with free trade with the United States. If I were an employer in the United States, there is no way I would move a company or my employees or my executives here if they had to pay that kind of money for a house. This government is exacerbating the problem. It must try to think imaginatively, to come up with processes where housing can be created that is going to house our kids and our grandchildren. If they do not do that, what they are doing is denying the rights of the people who elected them.

The learning-disabled I am going to end on, although I have other things. Food banks. I will never understand why we could not create co-operatives, take the excess food that marketing boards disallow farmers from producing and sell it for a percentage point above cost to these co-ops. Let them exist on their own. The only person who would have access to them would be a person with a family benefits card, or whatever. It could be controlled nicely. It is humanitarian. It is not an indignity, like food stamps in the US.

I want to get to the learning-disabled. I have many more issues, believe me, but time does not allow for them. The learning-disabled are the invisibly disabled in this province. I am sure that if I gave indicia, even within the 130 members of this House, of what learning disability is, some would go home tonight, if there were that many in the House, and think about whether they or some loved one of theirs had a learning disability. They range from the most identifiable of dyslexia, where a person writes the

wrong way, to the most indecipherable, where a person perhaps cannot concentrate.

I made a statement in the House and I will finish with this, because I think the children of this world, the children of this province, the children of this country deserve number one, our attention, which they are not getting—

Mr Fletcher: Sit down.

Mr Callahan: Obviously the member has no children; he does not feel any sensitivity about this. I hope he never has any. If he had kids, he would feel sensitive about this issue. He can be darned certain there are people out there who have children who are not being served by the needs of this province. This government has put the cost of raising 6% for civil service salaries over the right of kids to be properly trained and properly treated. That is more important to them. I think if they talked to their people in the civil service, the civil servants would agree. If I had to give up 2% or 1%, I would give it up for those kids.

It is unfortunate that the Minister of Education is not prepared to look at that issue in terms of five or seven years down the line, because the money that is spent now for those big political gimmies—the big political gimmies that are going to supposedly get them re-elected, are moneys—

Mr Fletcher: Everybody is leaving.

Mr Callahan: You know, you are a jerk. You really are a jerk.

The Deputy Speaker: Order. I will not accept that word.

Mr Callahan: I am sorry. I take back “jerk.”

The Deputy Speaker: I will not accept that word. Will you withdraw?

Mr Callahan: I withdraw and I am going to wrap up because there are other people who want to speak on this.

Mr Dadamo: Good.

Mr Callahan: There is another person with no children. If I were sitting down watching television tonight and looking at my responsible elected members of the Legislature and I heard something like that being done by the member for wherever—and I do not even care to find out where he is from—I would be absolutely astounded that when I am talking about children there is not an absolute silence in this chamber, an absolute concentration on what we can do for those kids.

Mrs Marland: Windsor-Sandwich.

Mr Callahan: My colleague tells me Windsor-Sandwich. I thank her very much. The people in Windsor-Sandwich who are now sitting down will say, “Well, you know, he really cares about the young people, the kids.” Take the smirk off your face. I am sorry, Mr Speaker. I take “smirk off your face” out of that speech too.

I will finally say, and I will end on this because children are our greatest commodity, the environment is probably number one in the minds of most people, but those of us who have young children want the best education for our kids. If those kids have learning disabilities, then the money should be allocated on a conditional basis to school boards to make darned certain that they get it and that

these people do not wind up in our correctional systems or in our mental health facilities.

I see all smiling faces over there on many members of the government, and I say for the children of Ontario, it is unfortunate that they may grow up and vote for those people some day.

The Deputy Speaker: Before I proceed with questions and comments I would like to recognize in the east gallery Jara Moserova from the Czech National Council, chair of the parliamentary committee for science, education and culture.

Mrs Caplan: I rose after the last speaker in this debate and I would like to make a comment following my colleague the member for Brampton South also. Do I have two minutes?

The Deputy Speaker: Yes.

Mrs Caplan: In the last almost nine months since the Premier and the NDP have governed in Ontario, much has changed. I believe personally that we will come out of this recession that we are in in spite of the economic policies of this government.

But, as I pointed out in my last comments, the absence of economic leadership at this time in Ontario is having very serious consequences. Business and investors have lost confidence in the province. Workers, their families, my constituents in Oriole are being hurt by this recession. Not only are they losing confidence, they are losing their jobs.

More important, taxpayers, my constituents in Oriole, are very worried about their future, given the predictions in this budget of more and more taxes. Not only will that affect economic competitiveness for Ontario, but it will seriously affect the discretionary income and available living standards of the people I represent in the riding of Oriole.

Many important reforms that I was very proud of were begun between the years 1985 and 1990. I believe that if those reforms should continue, it is possible that they can be implemented within a framework of fiscal responsibility. I also believe that economic prosperity is essential if we are going to achieve our social policy objectives. We must create new wealth in this province so that we can have an economic climate that fosters that kind of confidence, innovation and creativity. Unfortunately, the need for this piece of legislation, which requires the kind of massive borrowing powers of the Treasury, is just one indication that this budget does not achieve either of the goals that I have referred to.

While I remain optimistic and hopeful that we will come out of this recession, this budget and the requirement for structural deficits for so many years to come, I think, will impair the economic recovery in Ontario, and the people of my constituency of Oriole will suffer longer than they would have had to if this government had shown economic leadership.

1750

Ms Poole: On a point of order, Mr Speaker: I would like to bring to the House's attention that we have a number of recipients of the seniors' award of achievement in

the gallery tonight, and I hope members will recognize their achievements.

The Deputy Speaker: I know we are very pleased to see all the seniors' achievement award recipients but, as you know, this is not a point of order.

Mr Ferguson: Just very briefly in response to the member for Brampton South, first of all, I do not think any particular party in this House has the corner on the market when it comes to the health, welfare and wellbeing of children in the province of Ontario. I think people on the government side of the House are just as concerned as people on the opposition side. I think we are going to do everything we possibly can. We recognize that over the past years there have been a number of shortfalls when it came to the funding of various children's services programs. As everybody has recognized, we find ourselves in an extremely difficult situation.

I want to point out that the members of this side of the House were smiling at times because the member for Brampton South, in talking about what is essentially a loan bill, went from reform of this parliamentary institution to stating that he, as a backbencher, sat around for the past three years and essentially did not participate in the life of the government because he was not a member of cabinet. This government does not operate that way.

Everybody here is involved in the democratic process of government. We have decided to democratize the political process of government, and I believe that we all have a sufficient amount of input. Everybody on this side of the House is extremely busy. Unlike the previous governments, the parliamentary assistants in this government are not regulated to running around, cutting ribbons and opening new housing projects or new facilities. They play a meaningful role in the life of this government, so that is the only reason we were smiling. The comments of the member for Brampton South were a terrible admission that he sat around for the last three years and was not working as hard as he could have been on behalf of his constituents.

Hon Mr Mackenzie: I happen to think that the speech by the member for Brampton South was an unfortunate one and certainly not one that added very much to the House. I thought he might have learned from some of my excesses in past years. It is certainly a lesson I have learned, but he gave me a number of excellent lines we could have responded to very effectively, with some of the nonsense he let loose with. I decided against responding to the individual items because I did not want to risk reducing myself to his level.

Mr Callahan: First, I tried to say in my speech that I have great respect for the Minister of Labour. He believes in what he believes in. Whether the House shares his beliefs is another thing, but I guess he got the wrong message from me. I respect and like every member of this House.

Finally, there was a comment made, and I cannot remember the name of the member whose riding it was—he is down at the end by the guy who just drank the glass of water, if that is a location—"We don't attend to cutting ribbons or doing any of those things." Let me tell the members that if they are not in the cabinet, their most

important function in this entire Legislature will be to look after the people in their ridings, and that will include caring for their concerns, cutting ribbons, attending functions and making them feel important. They made the members feel important by electing them, so I find it really passing strange that the member would say: "We don't cut ribbons. We find more important things to do." I would love to know what those more important things to do are. Are they to be down here and ride around in the limo or whatever?

If that is the way it is, then they will never get re-elected because, in reality, when the day is over and everything is said and done, the people who work with us in our constituency offices, who hear the day-to-day problems of people and respond to them either on our behalf or tell us about them, are the most important people we will ever meet. They are the people who elected us. No one person down here is going to make that big, significant decision. If they cannot cut ribbons and look after the needs of their people, then I feel sorry for them. They will never be elected to office again.

Mr Stockwell: The members can sit here throwing statistics around. There is \$12 billion to be borrowed through a number of sources, not the least of which, I am certain, will be offshore money. The fact is, whether or not the numbers members use tend to flatter the position of the government, it is really academic. I know the member for Hamilton Centre outlined some of the numbers they have been pushing on the unsuspecting Ontario public about what a responsible government is. The proof will be in the pudding in four years' time, of exactly how responsible it has been and is.

If there is anyone out there listening to this debate today who honestly believes it is financially prudent to borrow nearly \$10 billion, when the budget sits around \$52 billion or \$53 billion and they can only generate revenues of \$42 billion—they go out and borrow \$10 billion and successively borrow roughly \$8 billion for the next three years, thereby doubling their debt from \$35 billion to \$70 billion without any capacity to pay it back? If anyone believes that is a prudent fiscal approach to government, then I do not share that opinion. I do not think most Ontarians would share their opinion. Probably 90% of those people in business would not share their opinion. I suggest that most people who have had to meet payrolls, pay mortgages or pay loans from the bank would not agree with their position.

The argument then becomes whether this government was prepared to fight the recession or the deficit. Maybe somebody should say to the Treasurer that rather than trying to sell this message to the people of Ontario, he should tell the children who are going to have to pay for this debt. It is going to be an expensive proposition to service this accumulated debt of some \$70 billion in four years' time.

They make much noise about the fact that the deficit will be reduced by roughly \$2 billion in four years. We already have the commitment from this government that to maintain the numbers it has outlined in the budget, it will have to increase taxes by some \$8 billion—\$5 billion in the last year—to reduce the deficit by \$2 billion. If we extrapolate that figure, it means that if they were to retire

that deficit, they would have to come up with \$32 billion—

The Deputy Speaker: I am sorry to have to interrupt, but it is getting close to 6 and I understand that the House leader has a business statement to make, so if you could resume your seat.

Hon Miss Martel: First of all, I would like to ask for unanimous consent to allow the late show to go on Monday night instead of this evening.

Agreed to.

The Deputy Speaker: Do you have another statement you wish to make?

BUSINESS OF THE HOUSE

Hon Miss Martel: Yes I do, Mr Speaker. I would like to tell the House what the business will be for next week.

Monday 10 June we will do second and third reading of the following private bills: Pr3, Pr24, Pr37, Pr54. We

will then proceed with second reading and committee of the whole consideration of Bill 25, An Act to amend the Planning Act, 1983, and the Land Titles Act, and second reading of Bill 74, An Act respecting the Provision of Advocacy Services to Vulnerable Persons.

Tuesday 11 June we will have a Liberal opposition day.

Wednesday 12 June we will have second reading of Bill 66, An Act to amend the Police Services Act, and second reading of Bill 40, An Act to amend the Mortgages Act.

On Thursday we have private members' public business standing in the names of Mr Johnson and Mr Offer; and we will proceed to second reading and committee of the whole on Bill 30, An Act to amend the Education Act.

The Deputy Speaker: It being 6 of the clock, this House stands adjourned until Monday at 1:30 of the clock.

The House adjourned at 1800.

ALPHABETICAL LIST OF MEMBERS

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Speaker: Hon David Warner

Clerk of the Legislative Assembly: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees: Smirle Forsyth

Clerk Assistant and Clerk of Journals: Alex D. McFedries

Sergeant at Arms: Thomas Stelling

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines and to the Minister of Northern Development
			Vice-Chair, standing committee on Ontario in Confederation
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Hon Brian A.	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
Churley, Hon Marilyn	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	
Gigantes, Evelyn	Ottawa Centre	NDP	
Grandmaitre, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities

Name of member	Constituency	Party	Other responsibilities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Chair, standing committee on regulations and private bills
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	Chair, standing committee on resources development
Jackson, Cameron	Burlington South	PC	Parliamentary assistant to the Minister of Energy
Jamison, Norman	Norfolk	NDP	Chair, standing committee on estimates
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Jordan, Leo	Lanark-Renfrew	PC	Parliamentary assistant to the Chair of the Management Board of Cabinet
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	Chair, standing committee on resources development
Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Health, Chair of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
Mackenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	Parliamentary assistant to the Minister of the Environment
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation

Name of member	Constituency	Party	Other responsibilities
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Parliamentary assistant to the Minister of Revenue Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
Rae, Hon Bob	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	Vice-Chair, standing committee on finance and economic affairs
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	S-D-G & East Grenville	PC	Second Deputy Chair of the Committee of the whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Hon Fred	Frontenac-Addington	NDP	Minister of Government Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	

Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziembra, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

COMMITTEES OF THE LEGISLATIVE ASSEMBLY

STANDING COMMITTEES

Administration of justice

Chair: Drummond White
 Vice-Chair: Mark Morrow
 Members: Gary Carr, Robert Chiarelli, Derek Fletcher, Charles Harnick, Irene Mathysen, Gordon Mills, Jean Poirier, Gregory S. Sorbara, Evelyn Gigantes, David Winninger
 Clerk: Lisa Freedman

Estimates

Chair: Cameron Jackson
 Vice-Chair: Margaret Marland
 Members: Gary Carr, Hans Daigeler, Will Ferguson, Karen Haslam, Paul R. Johnson, Wayne Lessard, Dalton McGuinty, Lyn McLeod, Anthony Perruzza, Gary Wilson
 Clerk: Franco Carrozza

Finance and economic affairs

Chair: Jim Wiseman
 Vice-Chair: Kimble Sutherland
 Members: David Christopherson, Norman Jamison, Monte Kwinter, Gerry Phillips, Norman W. Sterling, Chris Stockwell, Barbara Sullivan Brad Ward, Margery Ward
 Clerk: Todd Decker

General government

Chair: Remo Mancini
 Vice-Chair: Michael A. Brown
 Members: Donald Abel, Gilles Bisson, Dennis Drainville, Noel Duignan, Margaret H. Harrington, George Mammoliti, Bill Murdoch, Yvonne O'Neill, Ian G. Scott, David Turnbull
 Clerk: Deborah Deller

Government agencies

Chair: Robert W. Runciman
 Vice-Chair: Allan K. McLean
 Members: James J. Bradley, Robert Frankford, Bernard Grandmaitre, Karen Haslam, Pat Hayes, Dalton McGuinty, Tony Silipo, Chris Stockwell, Daniel Waters, Jim Wiseman
 Clerk: Douglas Arnott

Legislative Assembly

Chair: Noel Duignan
 Vice-Chair: Ellen MacKinnon
 Members: Mike Cooper, Robert Frankford, Norman Jamison, Margaret Marland, Irene Mathysen, Carman McClelland, Gilles E. Morin, Hugh P. O'Neil, Stephen Owens, Noble Villeneuve
 Clerk: Douglas Arnott

Ombudsman

Chair: Mark Morrow
 Vice-Chair: Drummond White
 Members: Alvin Curling, Joan M. Fawcett, D. James Henderson, Peter Kormos, George Mammoliti, Bill Murdoch, Margery Ward, Paul Wessinger, Jim Wilson, Elizabeth Witmer
 Clerk: Franco Carrozza

Public accounts

Chair: Robert V. Callahan
 Vice-Chair: Dianne Poole
 Members: James J. Bradley, Sean G. Conway, Mike Cooper, W. Donald Cousens, Christel Haeck, Pat Hayes, Paul R. Johnson, Ellen MacKinnon, Lawrence O'Connor, David Tilson
 Clerk: Tannis Manikel

Regulations and private bills

Chair: Ron Hansen
 Vice-Chair: Lawrence O'Connor
 Members: Donald Abel, Will Ferguson, Derek Fletcher, Leo Jordan, Ellen MacKinnon, Frank Miclash, Tony Ruprecht, John Sola, Kimble Sutherland, Jim Wilson
 Clerk: Todd Decker

Resources development

Chair: Peter Kormos
 Vice-Chair: Daniel Waters
 Members: Ted Arnott, John C. Cleary, George Dadamo, Leo Jordan, Paul Klopp, Sharon Murdock, Steven Offer, David Ramsay, Len Wood
 Clerk: Harold Brown

Social development

Chair: Elinor Caplan
 Vice-Chair: Joseph Cordiano
 Members: Charles Beer, Christel Haeck, Randy R. Hope, Gary Malkowski, Tony Martin, Lyn McLeod, Stephen Owens, Tony Silipo, Jim Wilson, Elizabeth Witmer
 Clerk: Lynn Mellor

SELECT COMMITTEE

Ontario in Confederation

Chair: Tony Silipo
 Vice-Chair: Gilles Bisson
 Members: Alvin Curling, Ernie Eves, Evelyn Gigantes, Charles Harnick, Margaret Harrington, Gary Malkowski, Irene Mathysen, Steven Offer, Yvonne O'Neill, David Winninger
 Clerk: Harold Brown

SPECIAL COMMITTEE

Parliamentary Precinct

Co-Chair: David Warner
 Co-Chair: Noel Duignan
 Members: Dianne Cunningham, Remo Mancini, Kimble Sutherland
 Clerk: Smirle Forsyth

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Legislative Assembly of Ontario

First Session, 35th Parliament

Official Report of Debates (Hansard)

Monday 10 June 1991

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le lundi 10 juin 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 325-7400.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 10 June 1991

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

GARBAGE DISPOSAL

Mr Chiarelli: On 12 April 1991, to great media interest, the Minister of the Environment said she would introduce an amendment to the Regional Municipality of Ottawa-Carleton Act which would give the municipality the right to collect a surcharge on all imported garbage disposed of in the region. This was the result of a written commitment by the minister to provide legislation to expand the region's control over importation of waste to Ottawa-Carleton from other regions.

Two months have passed with no provincial action, and time has almost run out for this bill to be dealt with before the summer recess. In the absence of the promised legislation, the minister may be depriving the region of its negotiated legal right to be collecting compensation for imported garbage.

This government has no provincial policy for solid waste management and now it cannot even deliver on a promised law for the Ottawa-Carleton region. I ask the minister, where is her government's promised bill? The people of Ottawa-Carleton want to know. I also ask the member for Ottawa Centre, who is chit-chatting across the hall, why will she not speak to her minister and bring this legislation forward?

HOSPITAL BEDS

Mr J. Wilson: My statement is to the Minister of Health and it concerns a potentially volatile situation within Simcoe county. In the past two weeks, Stevenson Memorial Hospital in Alliston was forced to cut 21 beds, Collingwood General and Marine Hospital cut 10 beds, and the Royal Victoria Hospital in Barrie may be forced to cut 36 beds. There are strong indications that neighbouring hospitals in Owen Sound and Orillia will also be closing beds soon.

I am very concerned about the sudden rash of bed closures and cuts to staff and service. The Ministry of Health appears to have no organized plan to ensure that beds are not closed at random.

Because the Royal Victoria Hospital in Barrie is Simcoe county's main referral hospital, it treats a large number of my constituents in Simcoe West. The RVH has been told by the Ministry of Health to submit a plan to remove its \$5-million operating deficit. The result of this will be that RVH may have to close one of its five operating rooms, which will mean a reduction of 20% in elective surgery. In addition, six critical care beds will be closed and 30 elective surgery beds will be forced to close. RVH is presently operating with an occupancy rate of some 98%, so this is a critical blow to Simcoe county.

The rapid-fire announcements of bed closings coupled with the rumoured announcements are creating a sense of hysteria among the residents in Simcoe county who are concerned for their health. Where are the sick to go when all the hospitals in Simcoe county are flashing No Vacancy signs?

RENT REGULATION

Mr Ferguson: Last week the Minister of Housing lived up to the NDP government's commitment to real protection for tenants. He introduced rent control that can actually give tenants a sense of security and certainty about their rents in the future. Tenants can stop being afraid of being hit with huge rent increases and can stop wondering just how high their rent increases could go. Tenants will know they will never have to pay more than an increase of 3% above the guideline in any given year.

The minister is also encouraging landlords to keep tenants' homes in good condition and penalizing those who do not. What did the Liberals do for the tenants of this province over the past five years? The Liberal idea of protecting tenants was to set up a system that let more than 170,000 tenants pay increases of 15% or more. In addition, they let the tenants of this province finance the investments of landlords here in Ontario.

That is not this government's idea of tenant protection. This government is bringing in fair legislation that is going to protect tenants from high rent increases, ensure that the rental housing market is properly maintained and encourage landlords to keep tenants' homes in good condition. Finally, the minister is also recognizing the needs of small landlords and is providing a flexible system that builds in assistance for landlords to do necessary repairs and maintenance.

I salute the Minister of Housing, and I am sure my colleagues join me in saluting him.

TENANT PRIVACY

Mr Henderson: The House and the Minister of Housing should know of a very serious situation which severely threatens many of my constituents. Despite this government's alleged rent control, at least one very large landlord with many high-rise apartment buildings in Etobicoke and other parts of Toronto has embarked on a campaign of apparent harassment. The landlord has given notice that every apartment will be entered and searched for appliances for which written permission has not been given.

In so doing, the landlord has cited subsection 93(1) of the Landlord and Tenant Act. The Landlord and Tenant Act does not of course give landlords the right to enter apartments to conduct appliance hunts. Many of my constituents facing the possibility of their homes being searched have had air-conditioners and other appliances in their homes for years, mostly with verbal permission from the superintendent. Now their quiet enjoyment of their homes

and their privacy is being threatened by a capricious appliance hunt.

Clearly landlords have no legislative authority to conduct such hunts. The Minister of Housing must act to protect tenants from capricious acts like appliance hunts by landlords. Tenants should not have to fear eviction simply for having an air-conditioner in their home. The minister must act now to ensure that tenants are protected from harassment or eviction for trivial or no cause.

1340

CAPITAL FUNDING FOR SCHOOLS

Mrs Marland: On 31 May, the Minister of Education finally announced the province's capital grants to school boards. Patrick Meany, chairman of the Dufferin-Peel Roman Catholic Separate School Board, responded to his board's \$25-million allocation by saying: "Disillusionment is the only way I can describe my reaction.... The Premier's commitment to reduce the number of portables has not been met... Of the 15 urgent projects, none will be addressed for three long years."

The allocation to the Dufferin-Peel separate school board raises the obvious question of how \$25 million can meet the board's accommodation needs, which the board estimates amount to \$322 million of capital funding. Other questions include: Why did the Ministry of Education skip items ranked as high priority by the board and allocate funds to lower-priority projects? Why were no elementary schools funded? Why is the province permitting more development when schools will not be in place to serve new housing projects?

A year ago our party raised the problems of educational capital funding with the previous government. A year has gone by, another government is in power and the schools' accommodation crisis has worsened. The capital grants announcement, combined with the appalling decisions not to participate in a national testing program and to cancel the Ontario scholarship program, leads to the conclusion that education has slipped as a priority of this NDP government.

PLANT CLOSURE

Mr Wood: I want to congratulate the people in Kapuskasing and all the surrounding towns for surpassing their goal of \$12.5 million and pledging over \$13 million to assist the purchasing employee group plan. Over 1,900 individual pledges were received from all sectors of the community. Organized workers, management people, workers in the business community and professional people, as well as retirees from across the province, have shown their commitment to Kapuskasing and the community. They are to be applauded for their support.

I also want to compliment all the unions for their patience and understanding at this time. Locals 89 and 256 of the Canadian Paperworkers Union, Local 1149 of the electrical workers, Local 2995 of the IWA Canada and Local 166 of the office workers have not forced the pattern settlements on the industry. They have also kept their members working through these times while new owners are sought for the mill. This is an indication that all groups want to work together to find a solution.

This government too is committed to finding a solution to the situation. Over the past months, a number of ministers have taken an interest by coming to Cochrane North to learn more about the situation by meeting with PEG and community officials. As well, the working group under the Minister of Northern Development has been working non-stop with PEG and other interests to see that a suitable solution is found.

As a former employee of Spruce Falls Power and Paper and as a representative of the community, I want to assure the people of Cochrane North that the government is working with this group and myself as an active member in trying to find a resolution to this situation which will benefit the whole community.

UNEMPLOYMENT

Mr Kwinter: Friday's release of Statistics Canada's national unemployment statistics demonstrated very clearly the effect the NDP budget is having on Ontario jobs, and it is all bad.

In his budget statement, the Treasurer told Ontario he was running a \$10-billion deficit and increasing spending by 13.4% so that he could create 70,000 new jobs. Soon after, under questioning from our party, the Treasurer was forced to backtrack on that weak claim.

The truth is that the Treasurer cannot point to one new job that will be created as a result of his \$10-billion deficit. The facts now prove that this NDP budget is killing Ontario jobs faster than they can be created. The NDP is prolonging the recession on the backs of the people who work and create wealth in the private sector.

The Premier and his lackeys like to stand in the House and say the recession was made in Canada. It was made in Canada, but it is being held over in NDP Ontario. Across Canada, total employment rose by 31,000. Seven of the 10 provinces experienced increases in employment. After employment growth in the province over the previous two months, 18,000 Ontarians lost their jobs in the first month after the NDP budget. The NDP promises of huge debt loads, higher taxes and punitive labour laws for years to come are driving jobs out of the province.

According to business people today, competitiveness is a dirty word in the Premier's Ontario, something the NDP does not understand and does not want to hear about. If the NDP does not take out the dictionary soon, the next lesson for all—

The Speaker: Will the member take his seat, please.

DEVELOPMENT DEPOSITS

Mr Turnbull: On 5 June Mr Perruzza made a statement in this House in which he quoted Councillor Berger of North York. I have Mr Berger's response, which he wishes read into the record.

"Dear Mr Turnbull:

"I was very surprised to hear Mr Perruzza, former member of North York council, state in the Legislature on June 5th that I said that returning the \$25 million of letters of credit was an immoral act.

"I believe Mr Perruzza is trying to vindicate himself by using statements which are not correct after it was found

that he used municipal funds for his provincial election material, ie, stationery and calling cards.

"My statement to the press at the time, when the city released the letters of credit, was that prior to releasing the letters of credit we should have entered into a different type of agreement to make sure that these things would be built.

"To be fair to our council, there was nothing wrong with what they did, since the letter of credit was to go into effect a year after all the official plan and zoning amendments had been finalized.

"At the present time the zoning is not in place and might not be in place perhaps until the end of this year, which means the earliest these letters of credit could become effective would be some time at the end of 1992.

"This is addressed to you in order to straighten out the matter and to help me contradict Mr Perruzza's comments."

The member for Downsview suggested that I should get my facts straight before coming to the House. I would suggest it would be more accurate for the member for Downsview to do this. I will once again call on the Premier to apologize to the North York councillors for the slur made against them.

ALGONQUIN PROVINCIAL PARK

Mr Drainville: It is a great pleasure for me to stand today and to recognize the excellent work that has been done recently by the Minister of Natural Resources, the Ontario native affairs secretariat, the Algonquin band of Gold Lake and the Ministry of Natural Resources and staff.

In the last while there have been a number of comments made about Algonquin Park. Some people have even gone so far as to say there would be unrestricted hunting. We know that is not true. In fact, for the interim agreements that are being worked on by the ministry and the band from that area, they have consulted with so many people, and some of the people on this list—the Algonquin Park Residents Association, the Friends of Algonquin Park, Muskoka Tourism, Dwight/Oxtongue Business Association, Algonquin Outfitters, Muskoka-Parry Sound Hunt Camps, Huntsville-Lake of Bays Chamber of Commerce, Huntsville town council, Algonquin Coalition, and on and on it goes. There are three interim agreements that they are working on and presently they have come to very reasonable accommodations on each of those interim agreements.

It is our hope that the government will continue to do its fine work and leadership, both advancing the cause of aboriginal rights in this province but also maintaining our strong commitment to conservation. This is what we call in government good government and government of leadership. I want to commend all those parties that have been so involved in these negotiations.

STATEMENT BY THE MINISTRY

SENIORS' ACHIEVEMENT AWARDS

Hon Ms Ziemba: I would like to rise to inform the members that last Thursday, on 6 June, the Lieutenant

Governor and I had the privilege of honouring 21 distinguished seniors in Ontario.

The Ontario Senior Achievement Awards ceremony is one of the most important events in Senior Citizens' Month. This achievement awards program is our way of recognizing and thanking seniors, whose dedication and tireless work have made Ontario a better place for all seniors.

This year we are particularly excited with these 21 award recipients because they have been chosen by their peers. We initiated this new selection process of involving a group of six seniors as the selection committee. They worked long and hard, and out of 465 nominees selected the 21 whom they believe are the most deserving.

I would like to thank those wonderful people who spent their tireless efforts:

Phil Adams, special adviser, office for seniors' issues; Bill Hughes, vice-chairman, Ontario Advisory Council on Senior Citizens; André Lécuyer, president, la Fédération de aînés francophones de l'Ontario; Jane Leitch, president, United Senior Citizens of Ontario; Vera Lee-Nelson, president, the Ontario Coalition of Non-Profit Organizations Working with Seniors; and Jean Ross Woodsworth, president, One Voice Seniors Network.

In our government we believe seniors must be treated with respect and dignity. These values are the foundation of new legislative initiatives such as the Advocacy Act. That is why the process for the selection of seniors' awards is a reflection of this government's strong conviction that seniors can make their own decisions and live independently with dignity.

I would like to name those Ontario recipients who received the 1991 Ontario Senior Achievement Awards: Diana Hains Meltzer Abramsky from Kingston; Lillian G. Belliveau from Terrace Bay; William A. Bodden from Toronto; Chi-An Chiu from Toronto; Georges and Clara Dassylva from Orleans; Lester Scott Davis from Toronto; Bethia Elliot from Collingwood; Tom Evoy from Oil Springs; Donald D. C. Harvey from Willowdale; Alex Mansfield, Mississauga; Luk Ting Wan Mark, Toronto; Clifford Moss, Stouffville; Margaret Reid, Toronto; Soeur Gisèle-M. Richard from Cornwall; Elmer Preston Shaw from Nobel; Bert Sitch, Kakabeka Falls; Zygmunt (Ziggy) Sojka from Fenwick; Stan Sugarbroad from Toronto; (Elder) Gladys Taylor from Curve Lake; and Amy Thompson from Don Mills.

Our heartiest congratulations.

1350

RESPONSES

SENIORS' ACHIEVEMENT AWARDS

Mr Mahoney: I too attended, along with the minister, the awards presentation and would like to congratulate all of the recipients on behalf of my caucus. I think it is a very worthwhile award. I appreciate the fact that the minister has publicly recognized it, both in the presentation ceremony, Mr Speaker, that I know you were in attendance at, and as well here in the Legislature.

I do think, along with my colleagues, that it is extremely important and worth while that we recognize the achievements of these volunteers in the senior citizens'

community. In fact, as the minister knows, it was our government that established the ministry and that in fact assigned the job of being minister responsible for senior citizens' affairs to one individual rather than having the minister representing sort of a grab-bag of five different ministries. I have made that point over and over again, and would do so again.

I ask the minister to encourage the Premier to re-establish the significance of the senior citizens' ministry in this government rather than just talking about things like treating them with respect and dignity. Perhaps a little more direct concentration in that area, rather than having it in all of the other ministries, would be appropriate.

My colleague the Health critic and the member for Scarborough-Agincourt got quite excited—and that does not happen often—in the lobby when he heard that an announcement was coming forward from the seniors' ministry, in the hope that it would have something substantive to do with issues like long-term care. While we certainly pass on and share in the congratulatory remarks to the recipients of the awards, the member for Scarborough-Agincourt and I were talking about, "Wouldn't it just be wonderful if, for a change, we could have a substantive announcement," particularly with the patience that he and our caucus have shown in the areas of long-term care.

I do congratulate the recipients, and I think my colleague may want to add some remarks.

Mr Phillips: I would. Just to echo what my colleague said, certainly we applaud the recognition of the seniors. I heard that there was an announcement coming today, I grabbed my Strategies for Change document and headed on over here. I was reading the estimates book, and it says that a key element of the division is a newly established decentralization of systems managers to 14 locations around the province. So we have qualified and very competent civil servants at 14 locations awaiting direction.

It goes on further in the estimates book to say that the agenda for the coming year includes the release of a public document outlining the new policy framework, followed by a public consultation process designed to encourage input from the community and the consumers' reorientation policies. As I say, I was very anxious about today's announcement. I thought it was the long-awaited long-term care reform announcement. Certainly it seems to be coming out in dribs and drabs. In the estimates book there is a hint of what is to come.

I would just urge the government to get on with it because, as I said here in the House last week, there are many acute-care hospital beds closing in anticipation of more community facilities being available to look after those people. The community health care system is anxiously awaiting the long-term care reform.

I do not mean to belittle the announcement the minister made today, because these are individuals who are extremely worthy and should be recognized, but I think all of us would appreciate that we cannot wait much longer. I have now been asking questions for, I guess, five months in the House, awaiting the government's long-term care reform, and I would hope we would see it within the next couple of days, as I think we might.

Mrs McLeod: I just want to echo the sentiments that have already been expressed by my colleagues and certainly want to acknowledge the important announcement that has been made today and the recognition that has been given to seniors who are carrying out very active, very involved lives in their community. It is important that we recognize their very real achievements.

But the members of the government and the members of the cabinet will be well aware that there are many other seniors who are not able to lead fully independent lives and who need different kinds of support. They need support to be able to stay at home as long as possible. They need support in institutional care when that is what they need.

The waiting list for extended care is just longer and longer. There is confusion about the delay. A consultation has taken place. People are waiting to know what the minister's concerns are and why she has not been able to move. The silence is leading not only to confusion but to dismay, and we can only plead with her to please give seniors in the communities across this province some indication of what her plans are to proceed with long-term care reform.

Interjections.

Mrs Marland: Mr Speaker, I will respond to the minister's statement in one moment, but I will take a moment in response to my colleague's comments to say that at the first caucus meeting of our brand-new caucus last fall I was very excited and very impressed with the fact that as I looked around at our new caucus they were so young. As members know, we have 10 new members and they are all young, enthusiastic and vibrant. I went into the caucus meeting and looked at all these wonderful young faces and said, "Isn't this wonderful, we've got such a young caucus now," and my colleague the member for Simcoe East said: "Margaret, that's the good news. The bad news is, you're now the second oldest." I think that is why I have been asked to respond to this statement.

We did share the happiness of that occasion of the recognition of our seniors in their volunteerism last week, and although I personally could not stay for the whole celebration I was there at the beginning of it. Our party obviously feels the same way as everyone else does in this House, that these recipients of these special Ontario Senior Achievement Awards are indeed very special people. Although there are only 20 in number who are actually recognized, we realize that they are representatives of many hundreds of people in this province who work for the betterment of seniors' lives in Ontario—those who are seniors themselves and also people who are not yet seniors who work for their welfare.

We would say in recognizing the award recipients that we really wish this government perhaps would celebrate seniors' achievements a little more often than once a year. We recognize that June is Seniors' Month in Ontario, but we feel that there are 11 other months when it seems that seniors are not the priority of this government, unfortunately. I bear reference to the fact that in the budget there

was not one single mention of seniors, and we feel that is a very significant void.

Long-term care is something our seniors have been asking for for many years now, and the reports that have been written that have identified that very real need must be considered very carefully. We simply say to this government, it is fine to have the events and we agree with the events, the support and the recognition that were given last Thursday to the special people, but if you were to ask them directly, they would also say that the reason they are working in the volunteer field for the betterment of seniors in Ontario is because they see the needs out there.

1400

They recognize that there are thousands of seniors in Ontario who are not blessed with families and friends and a support system in the community. They are dependent on government programs. When those government programs are not forthcoming, then their lives become more and more difficult. They have nowhere else to turn for help in order that they can stay in their homes or their apartments and not have to resort to being institutionalized simply because the support services are not there for them in the community where they need them every day, every week of their lives.

We say to the minister that we appreciate her recognition through this Ontario Senior Achievement Award, but we say, "Please think about our seniors and show some real tangible evidence that your government cares about senior citizens for the other 11 months of the year as well." Hopefully, the minister will be able to lobby our mutual friend the Treasurer and get some funds out of him for some very much needed programs for senior citizens in Ontario.

VISITORS

The Speaker: I invite all members to join me in welcoming to our assembly this afternoon, seated in the Speaker's gallery, visitors from the state of Baden-Württemberg of the Federal Republic of Germany, headed by the Honourable Hermann Schaufler, Minister of Economic Affairs and Technology. Also accompanying the delegation is the consul general of the Federal Republic of Germany in Canada, Dr. Henning Von Hassell. Would you welcome our visitors.

Mr Ruprecht: I would like to ask the House for unanimous consent to appropriately recognize Portugal National Day.

Agreed to.

PORTUGAL NATIONAL DAY

Mr Ruprecht: It gives me great pleasure to introduce to the House leaders of the Portuguese Canadian community and distinguished representatives of the government of Portugal: the consul general, Dr Pessanha Viegas, his vice-consul, Mr Moniz, and his chancellor of the consulate, Mr Ferreira. As well, there are the president of the Alliance of Portuguese Clubs and Associations of Ontario, Manuel Brito, the chair of the alliance, George Rabeira, the treasurer of the alliance, Jose Reis, and the public relations person of the alliance, Paula Reis.

On behalf of our party, I rise to recognize an important event that dates back over 400 years. It has been celebrated as Portugal National Day since 1880. The celebration of the national day of Portugal is special and unique in the pages of history. Unlike some dates that commemorate an important political event such as a declaration of independence or the end of a war, on this historic occasion we ask the people of Ontario to join Canadians of Portuguese heritage in the remembrance of a great, world-renowned poet and writer, Luis de Camões. Although he passed away more than 400 years ago, Camões left a living legacy of meaningful poetry of immortal beauty that has not withered with age.

We are all, of course, very cognizant and appreciative of the tremendous contribution that Portuguese Canadians have made to the development and growth of our province and country both in the economic and cultural fields. Yet as important as economic contributions are, the attention of Portuguese Canadians today is focused not on the prosperity and wealth that opportunities bring in Canada, but on our democratic system of government, which allows the people in our multicultural society of Ontario to celebrate a national literary hero of their forefathers' original homeland as a right.

Indeed, Luis de Camões is an intellectual giant whose footsteps have crossed centuries of time and the Atlantic Ocean to be implanted into Canada's great heritage of love for literature, poetry and education. May this Portugal National Day today inspire us to pause more often to study and admire our writers and poets. Perhaps one day we might recognize that a new Luis de Camões could be inspired as a result of paying tribute to the eternal de Camões whose remembrance we are honouring today.

I am certain all members of this House will wish all of you well as you celebrate this day, not only as you participate in celebrating a Portuguese writer and poet, but as you participate in the economic, spiritual and cultural life of Canada.

Mr Cousens: On behalf of the Ontario Progressive Conservative caucus, we too extend a very special welcome to our guests from Portugal and from Portuguese associations. We are glad to have them with us and glad that the House recognizes this as a moment when we can share in Portugal National Day.

It is most fitting that we in Canada should help celebrate Portugal National Day. Portugal has a centuries-old tradition of exploration and trade around the world and has become a country that has given much to the world. From Macao to Mississauga, the vibrance of Portuguese culture has enriched the growth of many nations. From the explorations of Vasco de Gama to the immigration of the Portuguese to Canada after the war, these people have shown fearlessness in taking on the challenges of an ever-expanding world.

It is well to remember just what courage it takes to leave everything you have and then travel to another country and make a better life for yourself and your family. This is a reality we often forget when we remember the immigrants of years gone past and those émigrés braving an uncertain future in Canada today. In a sense, Portuguese

Canadians are much like all the other émigrés to our nation, special in that they come here to build a better place for their children and a strong nation for their fellow countrymen.

We should not, however, forget those things that the Portuguese have shared with us. Foremost among these must be an appreciation of the lyric poet, Luis de Camões, a man who died in 1580 but whose epic narrative of Portuguese achievement, *Os Lusíadas*, is one of the great works of the Renaissance. It is thus that we honour today a poet who wrote of the soul of a culture and its people. In a world that has all too much violence and misery, this most civilized day should be an example to the world.

To the Portuguese Canadians who have made Canada their home, may we have a sense of letting them know that they are welcome and that they are Canadians, proud of their heritage and proud of the great country that has sent them here. May we hopefully share with one another a sense of unity as Canadians, Portuguese and all others, coming together to make this a better land.

Hon Ms Ziemba: On behalf of the government of Ontario and the New Democratic Party, I too would like to congratulate the Portuguese community on Portugal National Day.

I would also like to take a few minutes to congratulate and to extend our hospitality to our new consul general who just arrived on 2 June from Portugal. We look forward to a long relationship. You have already been introduced in the House and we appreciate that introduction.

I would like to say that the vice consul, Mr Moniz, is leaving after 30 years of working here in Ontario, helping the Portuguese community. I extend our congratulations to him for that hard dedication and good work and thank him for all his efforts.

Also, I would like to take just a moment to congratulate the Alliance of Portuguese Clubs and Associations of Ontario for its hard work. They are in the process of setting up a new organization which would be a congress of the Portuguese community in Canada. I know that is a very important step and we as a government look forward to working with them as they work towards that means and I thank them.

This is a very important day for the Portuguese community. There are a few other things that are happening in Portugal that make us look to Portugal for leadership. The presidency of the European Community will be headed up by the Portuguese government. We are very pleased about that.

1410

This is a day when Portuguese communities across Ontario revisit their history and their culture and how it relates to Ontario, which is now their home. A province like ours certainly relates to the Portuguese experience. Ontario was built on diversity. This is one of our assets as a province. We are a rainbow of cultural identities which blend to give Ontario a unique colour and identity.

It is through these days such as Portugal day that we reaffirm the Portuguese stamp in that identity. Like many communities before it, the Portuguese community came to Canada, and Ontario in particular, to sow seeds which

have matured to the advantage of our province and all who live in it. The Portuguese contribution is present in all spheres of life, be they economic, cultural or social. It might have been hard for the first generation, but they looked ahead to the future because they believed in Ontario. This is what makes us Ontarians, a belief that our province is worth working for, a belief that we all equally belong here, that this is our home.

As Minister of Citizenship, it is my responsibility to see to it that barriers that work against that ideal are removed. We are working towards attaining full participation for all communities. Greater understanding among all communities is an essential foundation to a society as diverse as ours.

Again, congratulations to the Portuguese community. I look forward to sharing in this wonderful day.

Hon Mr Allen: I would ask unanimous consent of the House to make a few remarks with regard to the founding of this province in 1791 with the passage of the Constitutional Act. I presume that representatives of other parties would want to follow suit.

Agreed to.

CONSTITUTIONAL ACT, 1791

Hon Mr Allen: It was in 1791 that the Constitutional Act was passed that laid the foundation of this province. Those of us who look back to those days as contemporary Ontarians can only marvel at the changes that have taken place over all those many decades and even generations.

We celebrate and have been celebrating in the past few moments something of the cultural diversity of this province. Truly this province has become a congregation of the peoples of the world; nothing less.

As one looks back to the beginnings of the province, one also recognizes that in its very beginnings it was a very multicultural community. It was a place, for example, where there resided an aboriginal population, where there was a small settlement of francophones in 1791, where there were British settlers, where there were those who had come just shortly after the American Revolution and who represented the Pennsylvania Dutch. The region itself, interestingly enough, in terms of the divisions that marked the area at the time, was in fact named after several German states like Mecklenburg and Hesse, for example.

From our very beginnings we have been a very diverse and very multicultural people, but of course the contrast is most notable in the growing role that small community forged for itself in the northern half of the North American continent, becoming eventually the driving force in many respects of the Canadian economy and taking its place among the determiners of the future of many peoples.

Apparently Lieutenant Governor Simcoe, when he was given his appointment, wished to see this place, governed as it was at that point from Niagara-on-the-Lake with the first Parliament of Canada established there, as a superior, more happy and more polished form of government.

Of course, over time this province did make very significant contributions to the constitutional development of modern government, and in particular with the ingenious

conception of responsible government whereby the executive would be responsible to the majority in the assembly.

Some people of a very traditional turn of mind would say that nothing has ever been the same since. Indeed, from some points of view, that was true, but for many of the rest of us, and probably for the majority, that was a very signal development that created, indeed, a superior, more polished form of government that could redound to the benefit of the population of this province and, indeed, elsewhere abroad, not only in Canada but wherever that system of arrangement between executive and assembly was adopted.

It indeed was one of the very signal developments in the foundation of modern democracy itself in its modern form. We in Ontario must herald and lay claim to that.

Finally, I would like to say that it is not only with reference to constitutions and constitution-making that one wants to make a few remarks this afternoon. We all of us, of course, stand on the shoulders of our forebears. It was small groups of people across a very difficult wilderness area, forging out there their farms and building their settlements, who laid the foundations that we all enjoy as a modern, prosperous province today. Indeed, certainly politically speaking, traditions were established of the Conservative tradition in this province, the Liberal tradition in this province, the social democratic tradition in this province. All, over the years, have taken their place in the development of this province, and we celebrate all of them at this point in time. All have their significant and unique perspectives. Working together with the diversity that this gives us politically, we are a stronger province for all of that. I think none of us wants to forget those facts.

I think all of us want to rejoice in what has developed in this region in the wake of the decision in 1791 to constitute a formal province, which then has gone on and taken various shapes as the Constitution of the country has developed, and to pay our respects to those in our past who have contributed so much to us in this province.

Mr Scott: I have been deputized by the Liberal Party to speak to this issue. I am afraid the views I express are probably my own views and not those of the party, as there was not much time for consultation about it.

Of all the silly things we do in this Legislature—and the Sunday opening bill is only the latest example—the celebration of events of this type is probably the silliest. I accept, as a moving and warm experience, the welcome to visitors, especially when they do us the courtesy of appearing in our gallery, as happened this afternoon, and I find the commemoration of lives of important people like Mr Nehru and members of our own assembly a moving and, in the best sense, a sentimental occasion. But the celebration of historic events, as if we could do anything about them except celebrate them, is absurd. It is particularly absurd to celebrate the Constitutional Act of 1791, as probably the Minister of Colleges and Universities in the other gallery will understand better than anybody else.

There is probably not a single member of this Legislature—certainly not I—who would have voted for the Constitutional Act of 1791, assuming we were given a chance to vote on it. Now, I accept the member for Etobicoke

West and those on the far reaches of the Conservative Party might have found the Constitutional Act of 1791 congenial, but nobody else possibly could have. It was the first example of corporate separatism in this country, which has bedevilled the country for more than 200 years. The honourable member for Algoma can laugh, but it is true. It also led directly to the rebellions of 1837, because it failed to take account of democratic will in the new colonies.

What had existed before the Constitutional Act of 1791, which my friends want to celebrate, was a system established after the Seven Years' War by the Treaty of Paris and the Quebec Act of 1774, which allowed the French-speaking settlers of what became Lower Canada and the immigrants from the American colonies, some 5,000 or 6,000 of them by 1785, to work together in one system of government, which had been decreed by imperial authority, but which was working reasonably well until the United Empire Loyalists came along and demanded to be governed separately, in their own way. That was, of course, what led the United Kingdom to enact the Constitutional Act of 1791, the fact that people living on the western fringes of this colony would not permit themselves to be governed in unity with people who had been here 200 or 300 years longer than they had. So it is not a cause for celebration.

The good news was that, over the long run, the imperial government refused a request for responsible government, which led to the rebellions of 1837 and Lord Durham's Report, in which responsible government was ultimately implicated. But this act is the first act of corporate separatism in our national history and was a denial of responsible government, a concept that had come to the United Kingdom only a few short years before.

Now there is one piece of good news in this phoney celebration that the province is going to foist on us. The only piece of good news is that the Constitutional Act of 1791, while a thoroughly bad idea, was the second experiment in governance in non-American North America.

The Treaty of Paris and the Quebec Act experiment had failed. The Constitutional Act of 1791 was going to fail within a generation, and a united Canada would be formed shortly following 1837. Following that, there were a couple of other experiments, and the latest experiment—and it is no more than that—is the Confederation Act of 1867.

So the good news inherent in it is an illustration that Canadians on both sides of the Ottawa River, and now in the west and in the Maritimes, can learn from their mistakes and can go forward in ways that are sometimes regarded as radical, to experiment again in their efforts to continue to live together, and in that very limited, narrow sense, I am prepared to celebrate the Constitutional Act of 1791.

1420

Mr Harris: I know the Liberal Party will be happy that the member for St George-St David was speaking on behalf of himself and not the whole caucus or, indeed, the whole party. As much as we all enjoy the remarks from the member, he does bring in an interesting slant on history that I think is a tad biased.

I want to join with the Minister of Colleges and Universities and with you, Mr Speaker, and with members of the House in, indeed, reflecting on our history. I believe it is time to take a few moments and reflect upon an event that played such an important part in the history and the development of this province, the province of Ontario, Upper Canada at the time.

Of course, it was not perfect. It probably was far more perfect than anything we have developed since. Members I think would agree with me that we have not since this time nor are we ever likely to have a perfect Constitution, a perfect act that all will agree with. But what people do when they believe, as they believed in 1791 in the new world, when they believe in its people and in its future, they take a commonsense route, as they see it at the time, and they make do with that. I believe this is what the Constitutional Act of 1791 did.

I also think it is important as we celebrate that we also reflect and learn from history, as we are going through such a difficult time with Upper Canada and Lower Canada, indeed with the other regions of this country right now, in our very difficult constitutional discussions.

I find it a tad ironic that the solution of 1791—essentially, as the member for St George-St David put it, the United Empire Loyalists, those of British ancestry if you like, did not believe that the new world should be governed with the Napoleonic order of law in the French language and in the customs and the habits that obviously the French were more comfortable with. It was not working very well as Upper and Lower Canada, or the new land at the time was struggling as to indeed which customs, which language, which basis of law they would follow.

I think the Constitutional Act of 1791 was a marvellous piece of diplomacy that said Upper Canada will follow and speak the English language primarily, will follow British common law—obviously not perfect, as many more changes were required along the way, but for 1791 pretty forward thinking—and a recognition that Lower Canada would be primarily French, would have the Napoleonic code of law and indeed those customs that they were comfortable with, and that there were so many things in common that they could still be together in so many other areas. Surely that is what we are striving for now. I guess the ironic part of it to me is that we seem to have had difficulty believing we can function as a country with a French province and English provinces and bilingual provinces.

There has been a move afoot by the Scottuesques and the Trudeauites who believe that we should all have the same customs, the same history, the same language and be exactly the same. I reject that argument. I have always rejected it; it has not worked very well. It has led to a great distrust of English Canada of French Canada, of French Canada of English Canada.

I believe the Constitutional Act of 1791 is a more accurate reflection, even today, of how French Canada feels and English Canada feels. Ironically, in those areas where we are supposed to be together—on defence, on economic arguments, free trade within our borders—we have raised all these barriers. We seem to have worked in the wrong direction in all those areas of things that we have in common,

and in areas where I think we can respect one another's differences, we have tried to be all the same. It has not worked very well.

I believe now, as we are entering into these constitutional discussions, that quite frankly the vision, as I understand it, expressed by Joe Clark is now closer to the Constitutional Act of 1791, certainly dramatically different from the Trudeau vision, from the Mulroney vision, from those that the federal government has espoused for the last 30 years while this country has come asunder.

I am proud to stand up today to celebrate our heritage. I think we can learn something from the lessons of the Constitutional Act of 1791. I think that, while we have a long way to go, we can look at some of the lessons here and the lessons of Sir John A. Macdonald, as we celebrated the 100th anniversary of his death just last Thursday in Kingston.

The other reason I am proud to celebrate is that in spite of all the abuse our province and our country have taken—and I speak as a provincial politician of the province of Ontario—we are so blessed in our geography, in our environment, in our resources, in our people that we have been able to sustain a large amount of abuse and still survive, and still survive rather nicely.

I am very proud of this province, of its people and of its history. I am also cognizant of how very fortunate and lucky we are to live in this geographic area, with the temperate climate that we have, the resources that we have, the access to this northeastern Ontario market that, in spite of ourselves, has allowed us to have the quality of life and the jobs that we have really, in many cases, in my view, not deserved, but we have enjoyed them in spite of ourselves.

I hope we reflect on that as well as we deal with the constitutional discussions of the day and as we deal with the aspirations of the people of this province and of this country economically, socially, environmentally. We can ill afford to continue to take for granted, we can ill afford to continue to abuse this province and this country.

The Speaker: The variety of contributions to recognizing this historical day are certainly appreciated.

VISITOR

The Speaker: Before continuing, I would like to invite members to welcome to our midst today a former member from the riding of Algoma-Manitoulin, John Lane, seated in the members' gallery west.

1430

ORAL QUESTIONS

MINISTERIAL RESPONSIBILITY

Mr Offer: Before asking a question of the Attorney General, might I have a page? I want to send this to the Attorney General. I have three pieces of information which I think the Attorney General should have on hand in response to my question.

On 24 April, in response to a question from the member for St George-St David on whether or not he discussed the RCMP investigation with the Premier or anybody in the Office of the Premier, the Attorney General stated, "The investigation...was launched by myself.... That decision

was discussed with no one else other than senior legal advisers in the ministry."

On 8 May, two weeks later, I asked him a question, whether anyone in his office had contacted the Premier's office between 12 April and 22 April, and he stated, "I can confirm to the member that no one in my office contacted the Premier's office regarding this matter."

The RCMP report, that part which I have sent over to the Attorney General, clearly states that he did contact the Premier on the evening of 22 April to discuss the impending RCMP investigation. In fact, he met with the Premier before he met with the RCMP to provide formal directions regarding the investigation. Can the Attorney General tell us why he did not inform this Legislature of this meeting when given two separate opportunities to do so?

Hon Mr Hampton: The member is obviously somewhat confused. He asked me if anyone in my office discussed the issue with anyone in the Premier's office or anyone in the cabinet office. When I met the Premier on the evening of 22 April, it was to discuss nothing. It was simply to tell him that an RCMP investigation had been called. There was no discussion.

Mr Offer: The facts of the Attorney General's own investigation do not state what he has just led this House to believe. He states that nothing untoward occurred as a result of these meetings and his failure to mention them on at least two separate occasions, but the facts speak for themselves. The Attorney General did meet with the Premier and he has kept this meeting secret until the RCMP report came out, more than a month later.

We do not know how long this meeting took or what was discussed, but we do know that this meeting did take place before he provided any formal direction to the RCMP regarding the investigation. One must only assume that he and the Premier did discuss the nature of the investigation and the directions he was going to provide to the RCMP regarding the investigation. It was the morning after this meeting that he gave instructions to the RCMP in terms of its formal directions. It was 12 hours later.

To clear up any questions regarding the Premier's political involvement in the directions to the RCMP, will the Attorney General now tell us exactly what he discussed with the Premier?

Hon Mr Hampton: The honourable member is obviously intent upon finding how many angels can dance on the head of a pin, and that is what this is all about. I want to inform him to go back and read the detail of the summary of the RCMP investigation.

It is very clear that the director of criminal prosecutions contacted the RCMP very early on the evening of the 22nd. It is very clear that I had already talked with the assistant deputy Attorney General criminal law and the director of criminal prosecutions. We had agreed that an RCMP investigation would be asked for. That contact between the office of the Ministry of the Attorney General and the RCMP took place very early on the evening of 22 April. The only discussion with the Premier was to inform him at 9:30 pm that night that an investigation had been called.

Mr Offer: That is not what this report states. On page 11 of the report it states that the Attorney General met with the Premier at 9:30 pm, that he stated there would be an investigation, not that there had been an investigation called. It was not until the following morning at 8 am that he stated a formal investigation by the RCMP was requested on behalf of the Attorney General of Ontario.

There is no question that the Attorney General met with the Premier on this matter prior to calling this investigation. On this basis, does he not realize that the integrity of his office as well as the Office of the Premier is now being called into question? Will he, in addition to recommending that the Solicitor General resign, ask the Premier to immediately refer this matter to a standing committee?

Hon Mr Hampton: I repeat my answer and I wish the member would read the whole of the RCMP report. If he would read page 1, page 2, page 3, if he would read the summary—

Interjections.

The Speaker: Order. Would the Attorney General complete his remarks.

Hon Mr Hampton: I wish the member would read the whole of the summary, because the sequence of events is very clear. I had already met with the assistant deputy Attorney General responsible for the criminal law division. I had already spoken to the director of criminal prosecutions, had already spoken with the Deputy Attorney General. The decision had already been made to ask for an RCMP investigation. The phone call establishing that had already been made, and it was only after the fact that the Office of the Premier was advised that there would be an RCMP investigation.

RETAIL STORE HOURS

Mr Curling: My question is for the Solicitor General. On 4 June his colleague the Minister of Labour announced with a lot of fanfare and hoopla that the Employment Standards Act would now give workers an absolute right to a day of rest. But Saturday evening on Global TV's Focus Ontario the Solicitor General told the province that the government's legislation that gives workers the right to refuse to work on Sundays is weak and unenforceable. Does the Solicitor General stand behind his statements of Saturday 8 June that the so-called absolute right to refuse Sunday work is unenforceable?

Hon Mr Farnan: I would encourage the member to look at the transcript of the particular broadcast he talks about. Let me just give some comments.

The legislation "also reaffirms our commitment to the protection of retail workers," a basic, fundamental principle. Again, quoting from the transcript,

"But the reality of the matter is that this government has the courage to address the issues head-on, and among those issues, the protection of retail workers."

"I have a high degree of confidence that the bill will indeed stand up to scrutiny."

"Nevertheless, I think we can make an honest effort, and the Ministry of Labour and the Ministry of Tourism,

which have both been involved in the legislation, are concerned to give as much protection as possible.”

The bottom line is that this legislation has better protection for retail workers than any other legislation in North America, simple as that.

1440

Mr Curling: I notice the honourable member has a way of going for his briefs and quoting out what maybe he wants to be reflected. Let me then quote for members.

From the transcript also, the statement of the Solicitor General was made perfectly clear, and let me illustrate this, as I said, by quoting exactly from where he took his quotation.

Keith Cox of Broadcast News asked the Solicitor General, “By your own admission, the right to refuse work on Sunday is rather spineless, it is weak, it cannot be enforced.” The Solicitor General responded like this, in his words, if he looks in his brief there, “There is no question what you say is true.”

That is what he stated. The Solicitor General has conceded that his colleague’s provisions, the Minister of Labour’s much-vaunted provisions to give workers the right to refuse Sunday work, are spineless, weak, unenforceable. Given that he thinks the Labour minister’s proposal is useless to workers, what is the Solicitor General going to do to fulfil his commitment to protect the rights of the retail workers of Ontario?

Hon Mr Farnan: The hyperbole that has been quoted as the substance of the questioner to me—where, I ask the member, can he find on the record anywhere that I have ever said “spineless” or “weak”? Certainly the questioner did.

The other point is this: When the member was quoting me, he left out one word. I was interrupted by the questioner. It is very clear here in the transcript.

Let me say furthermore, how can he jibe—

Interjections.

The Speaker: Order.

Hon Mr Farnan: I am not finished.

Interjections.

The Speaker: I appreciate that there is a great interest in both the question and the response. It would be a little easier to hear the response if others were not talking.

Hon Mr Farnan: Again to quote from the transcript, “Now, within this bill is also a beefing up of the powers of the employment standards officers.” Why the hell do they think we are beefing up the standards of the employment standards officers but to protect the retail workers of Ontario?

Mr Curling: It is quite evident, as he popped up and down and got so emotional, someone should pass him a tablet now to keep his nerves quiet.

It is quite clear that the Solicitor General has no confidence in his legislation. He has ridiculed it by supporting the statement by Mr Cox that it is spineless and it is weak and it is unenforceable. If the Solicitor General himself has no confidence, as is shown in his own legislation, how does he expect the retailers of the province, the consumers of the province and the workers of the province to have confidence in his legislation? The Solicitor General has

broken his promise of a province-wide common pause day. He has broken his promise to border communities. Now he admits, in his own little way, that he has broken his promise to protect the rights of retail workers.

Given this litany of broken commitments, will the Solicitor General withdraw this poorly drafted legislation, pending, of course, the establishment of an effective, enforceable system which will protect the interests of the workers, consumers and retailers of the province?

Hon Mr Farnan: Not only do retail workers have the absolute right to refuse work on Sunday; they also have 36 hours of continuous time away from work, whether or not they work Sundays. The reality of the matter is that this represents—

Interjections.

Hon Mr Farnan: I know it hurts the former administration when it hears this, because it refused to give workers the kinds of protection we are determined to give them. We are determined to work hard to provide retail workers with the very best protection possible. In addition, as we go around the province we are open to listening. The principle of protecting retail workers will not change, but we are prepared to listen to the fine-tuning that indeed can enhance that protection.

GOVERNMENT POLICY

Mr Harris: In the absence of the Premier and the Treasurer, who are off across this country winning friends left and right, I would like to ask a question of the Minister of Industry, Trade and Technology.

A number of Ontarians, I among them, have been expressing grave concerns about the NDP policies, many of them similar, by the way, to the Liberal policies before them, to drive the private sector out of health care, out of housing, out of nursing homes, out of day care and replace it with government-owned and government-run service which has proven more expensive, less efficient and worse.

There is one area where I believe the minister is differing from the Liberal Party and I wish to ask him about that today. On 21 May CFTO news aired a special report on businesses leaving Ontario. During that report, NDP policy adviser Brian Shell said that for companies without unions, “Ontario is not the place to do business.” Is it the policy of the government that you are not welcome in Ontario unless you have a union?

Hon Mr Pilkey: That is not the case and that is not the policy.

Mr Harris: Last month, my colleague the member for S-D-G & East Grenville met with George Astley, a local shoe manufacturers’ representative. Area manufacturers had scheduled a meeting with the Premier. When they arrived they were told, in no uncertain terms, that without union representatives they could not meet with either the Premier or any member of cabinet. This clearly says, as his adviser said, that non-unionized companies are not welcome to do business in Ontario.

I would like to know how the minister explains the attitude of the Premier, of the ministers, of others involved

with his party and with his government. How does he explain this venomous attitude towards business in this province?

Hon Mr Pilkey: The only venomous part of that dissertation was the question. I do not believe that question is factually correct. Of course, the New Democratic Party supports organized labour and bargaining units and all of that which organizes people to increase their quality of life. There are, on the other hand, other circumstances where there are plants and organizations in this province that are unorganized. They certainly are part of this landscape and our door is open to them as well.

I am sorry I do not know the particular circumstance that the leader of the third party alludes to, and even he was having some trouble getting it out, but I do not have any particular problem dealing with organized plants or unorganized plants so long as they benefit Ontario. We quite certainly would see a circumstance where we believe that organized plants probably deliver an enhanced circumstance for the workers, generally speaking, but the idea, the assertion that our door is closed to anybody is not the case.

1450

Mr Harris: Mr Astley, who was to be part of that meeting, and the area manufacturers from eastern Ontario will be glad that the minister's response is that they are lying, that it did not happen. That is his answer.

The Speaker: The leader of the third party, if he would consider what was just said with respect to the veracity of a statement made by a member in the House, might wish to withdraw that.

Mr Sorbara: It was the other members of the House.

Mr Scott: It was the other person outside the House.

The Speaker: I will review the transcript.

Mr Harris: The minister is sending out a very clear signal that Ontario is closed for business. The attitude and the policies of his government have made it more difficult for business to compete.

Ms Gigantes: On a point of order, Mr Speaker: Have you asked him to withdraw the remark?

Interjections.

The Speaker: Order. The member quite rightfully asks a question. I will say to the member I am not sure I heard precisely what she believes she heard. I will endeavour to take a look at Hansard and I will report back to the House. There are always two matters: first, the precise words which are spoken; and, second, I guess the general context of trying to maintain decorum in this House. In that regard the language is key and I ask members to try to temper their language at all times. I do not believe there was a direct reference to the member uttering a falsehood. It may have been expressed in an indirect way. That is the matter which I will review in Hansard.

Ms Gigantes: Mr Speaker, what I heard was an allegation—

Some hon members: Stop the clock.

The Speaker: Stop the clock.

Interjections.

The Speaker: Whoa, just a minute. Members on occasion raise matters from all sides of the House—

Mr Harnick: She's challenging your ruling. It is the third time she stood up.

The Speaker: One moment. First of all, members will note that the clock has been stopped. We are not going to penalize any members.

Interjections.

The Speaker: If members would listen for a moment, there are occasions, and this has happened many times in this House, where certain members have a deep concern about something which has occurred. The Speaker has the responsibility to try to assist all members. I would like to hear what the member has to say which offends her so much. After hearing that, then we will continue with the orderly business. The clock will not start until after I have heard what the member is concerned about. The same courtesy will be extended to all members in this House.

Ms Gigantes: As I understood the allegation made by the leader of the Conservative Party, it was that the minister was calling people outside this House from eastern Ontario liars. It seems to me that is a breach of House etiquette, about which I feel very strongly.

The Speaker: The member raises the very point which I addressed. I said I am not convinced that she heard precisely what I heard, but I will take a look at the Hansard and I will report back later. My apologies to the leader of the third party who is waiting patiently to place his supplementary.

Mr Harris: Mr Speaker, I do accept your apology.

The attitude and the policies of the government have made it more difficult for business to compete. Rumour has it that the word "competitiveness" has been banished from the NDP dictionary. We know the word "profit" does not appear in their dictionary at all. We know the word "entrepreneurial" does not appear in their dictionary at all. The dictionary of this government is restricted to words such as "deficits" and "taxes."

As the advocate for business in Ontario, as the minister responsible for what is left of industry and trade in this province, how can he justify his government's total anti-business attitude?

Hon Mr Pilkey: The assertions by the leader of the third party are absolutely without basis, are not factual and are not true. As a matter of fact, not only is Ontario not closed for business; it is in fact the Ontario government budget which has just been tabled here that is keeping people at work and keeping them employed.

Quite frankly, I am pleased this government is not following the lead of the governor of the Bank of Canada, with the support of the federal Conservative Party, who wants to hit a 2% inflation target by the year 1995 by closing business and putting people out of work and putting them on the street. That is what I am happy about.

I want to suggest one other thing. Not only is the word "competitiveness" not a problem; it is something we have got to talk about more at all levels of government. We have got to do it in every provincial Legislature in this country.

We have got to do it in Ontario. We have done it and will continue to. But more important, we have got to have Ottawa understand the word "competitiveness." If they do not understand the reality of high interest rates as compared to our main trading partner, the United States, and the disparity which sets us in an uncompetitive position, if they do not understand the impact of the free trade agreement and how that has disadvantaged the Ontario trucking industry and any number of other industries—

The Speaker: Would the minister conclude his remarks, please?

Hon Mr Pilkey: —if they do not understand the North American free trade agreement and what the potential impact with Mexico could be here, they do not understand competitiveness. It is not the Treasurer of Ontario who does not understand it; I think it may be the treasurer in Ottawa who does not understand the word "competitiveness."

HUDSON'S BAY CO

Mr Harris: My second question is also to the Minister of Industry, Trade and Technology. Last week, despite the assurances of the Premier, big statements, big hullaballoo, the president of the Hudson's Bay Co said a move by his company to the United States may be inevitable. Quite simply, the president of Hudson's Bay went on to say that it costs too much to do business in Ontario.

I would like the minister to tell us one single initiative within his purview of the Legislature of Ontario that he, his Treasurer or his Premier can name that has reduced these costs the president of Hudson's Bay says will inevitably lead to its leaving Ontario?

Hon Mr Pilkey: First, I do not recall in the Treasurer's budget tabled here any increase in the corporate tax rate—none.

Second, the question is based on a false premise. I believe the question was raised in the House. I certainly read in the local media that the story carried by Maclean's magazine was denied by the Hudson's Bay Co, that it was not accurate, that it was inaccurate. In fact, they are going to be making further investment in Ontario, which stands in quite stark contrast to the proposition just offered by the leader of the third party.

1500

Mr Harris: For the benefit of the former Minister of Health, I will simply quote not what the member for Nipissing is saying; I am quoting the president of Hudson's Bay. If the minister thinks he is lying, I guess he is free to say that, but that is who I am quoting. Mr Kosich, the president of Hudson's Bay, told his company's annual meeting that sales fell—

Interjection.

The Speaker: To the member for Ottawa Centre, it is not a point of order. He did not accuse another member of lying.

Interjections.

The Speaker: Stop the clock for a moment.

Ms Gigantes: Mr Speaker, I could put it to you that in fact what he is doing in impugning the motive of another

person by alleging that words are in his mouth which are not in his mouth. It is that I would like you to consider.

The Speaker: To the member, I listened very carefully, and while the general tenor of the remarks may cause a discomfort for some in the House, there is nothing out of order in what was said. Some may hear it differently than others in terms of their level of comfort, but there is nothing out of order.

Mr Harris: I think the Minister of Industry, Trade and Technology and I understand one another very well. We disagree 180 degrees in opposite directions, but I think we understand each other very well.

Mr Kosich told his company's annual meeting that sales fell earlier this year when Sunday shopping stopped in Ontario and that 4,800 Hudson's Bay jobs were lost. Would the minister tell us what he intends to do about the thousands of jobs that will be lost as a direct result of his government's new Sunday shopping legislation?

Hon Mr Pilkey: The suggestion was that the first-quarter losses reported by that company were being blamed on Sunday shopping. My recollection is that Sunday shopping was in vogue and was in fact the case, so obviously that assertion as a problem for the losses in the first quarter cannot possibly be true.

Mr Harris: It is not me. It is Mr Kosich who said that when Sunday shopping stopped, 4,800 Hudson's Bay jobs were lost.

During our task force on the government's budget, the chairman of the taxation and finance committee of the Ottawa-Carleton Board of Trade told us that he would advise any new company that wished to set up in the Ottawa-Rideau region to set up business in Quebec instead of Ontario. Why? Because he said Ontario has lost its corporate tax advantage. He estimates that, on average, Quebec's corporate tax rate is 36%, compared with 44% in Ontario.

Surely the minister and I can agree that: Ontario cannot afford to lose any more jobs. Ontario cannot afford to lose any more opportunities. Companies are leaving this province. Some of them are going to the United States; some are going out west. Now we have advice being given by an Ottawa tax consultant to companies saying, "If you're interested in competitiveness, if you're interested in making a buck, you should locate in Quebec." What does the minister have to say to these companies?

Hon Mr Pilkey: All I can suggest to the leader of the third party is that all advice should not be taken. I think this province has done very well in the past. It will continue to do well into the future. It is regrettable that all of us find ourselves in this malaise of a recession, a made-in-Canada recession, by a group of people he knows well. It will be our effort, with the support, I hope, of all members of the House, to continue to make Ontario a very competitive and innovative type of province where we might continue producing a very fine quality of life for our people and enhancing investment and business occasions in our province in the future, as we well have in the past.

BUSINESS PRACTICES

Mr Chiarelli: My question is to the Minister of Financial Institutions. No doubt the minister will be aware that TFP Mortgage Investment Corp, an Ottawa investment firm, went bankrupt last spring, owing investors about \$3.7 million. An investigation was commenced at that time. Many elderly investors lost their life savings. Yet despite the crying need for action, the NDP government failed to lay charges for a usury scam involving interest rates in excess of 14,000%. This charge was laid Friday afternoon, and only after prodding from me and Peat Marwick as the trustee involved.

The minister and his government are doing nothing to prevent investor fraud, to protect investors or to improve enforcement of the existing legislation in this area. In fact, over 3,000 investors in the Ottawa area have lost over \$250 million over the last two years. What will the minister do to demonstrate that his government has the political will to solve this serious problem?

Hon Mr Charlton: I thank the member for the question, because it is a question which very clearly reflects a problem that has been an ongoing problem in this province for a number of years. Each of the regulatory sections that my ministry is responsible for is currently undergoing review so that we can attempt to weed out some of the problems that were built into the system by the regulations put in place by the former administration.

Mr Chiarelli: That is a very cute answer. However, it continues to show that this ministry is totally obsessed only with one issue, the issue of automobile insurance, and has left a whole host of other issues in a vacuum.

In particular, the minister will know that prior to last summer's election the Liberal government had approved a proposal to strengthen the role of the Ontario Securities Commission, allowing it to become more effective in its enforcement role. This government and this minister have done nothing to bring that forward on to the agenda.

Will the minister specifically commit to devoting his ministry to bringing forward this requested legislation, which will strengthen the role of the Ontario Securities Commission and enhance its enforcement role? This ministry and this minister have delayed legislation which has been on the books and which the Ontario Securities Commission has been asking for. When will the minister do something?

Hon Mr Charlton: The member should know that as we review the operations of the Ministry of Financial Institutions and all of its regulatory agencies, we will decide as a government how to proceed. I am not going to make commitments here today to introduce legislation which was prepared by the previous administration but which it could not find the time or the commitment or the necessity to pass.

CROSS-BORDER SHOPPING

Mr Stockwell: My question is to the Minister of Industry, Trade and Technology. Last week his department released a report saying that 14,000 jobs and \$2.2 billion were being lost to cross-border shopping, headline news in the St Catharines Standard.

The Ontario Border Communities Mayors' Task Force on Cross-Border and Sunday Shopping gave the minister a number of recommendations, all of which could be implemented, would it help to resolve this issue, which is obviously becoming an ever-growing concern to the people in cross-border towns specifically.

They have asked him to lower taxes on gasoline, cigarettes and alcohol. What did his government do? They raised them. They asked the minister to introduce a buy-Ontario program, establish a task force on cross-border shopping and a Sunday shopping exemption.

What exactly is the minister doing for the people of the cross-border cities to ensure that they are viable, going concerns, rather than withering on the vines like they are today?

Hon Mr Pilkey: Prior to the free trade agreement and the increase in the value of the Canadian dollar that followed that, cross-border shopping was a two-way flow of tourists and shoppers that really received little attention. In the first two years since the free trade agreement, the number of Canadians making same-day trips across the border has increased by 57%. Since implementation of the GST, it has gone up a further 20%. So far, the member will understand where these policies causing the problems he enunciated have come from.

We now have a very difficult problem of a \$2.2-billion expenditure that is being made outside of our country, and there appear to be no magical or easy solutions for the problem.

We have involved ourselves with the federal government, with Otto Jelinek, with our own interministerial task force, with the border communities mayors' committee, with the Retail Council of Canada and others, who all have a vested interest in attempting to solve or mitigate this difficulty.

We will be meeting with the federal government, with the mayors' committee, with our own provincial representatives and my own involvement, probably the first week in July, to attempt to seek solutions that we might bring back to help mitigate the problem. I hope that collectively we can do that.

1510

Mr Stockwell: That was absolutely pathetic. Last week in the standing committee on finance and economic affairs, the minister himself admitted that the free trade agreement was not causing the cross-border shopping problem. He said that himself. Today we hear a total reversal.

He tells the people in the border towns that he is meeting. They did not ask him to meet. The problem is real. The 14,000 jobs they are losing are real. The \$2.2 billion leaving this country is real. There is no more time to meet. This question has been asked since this House sat, and all we have got is pathetic, lame answers from a lame-duck minister.

They asked the minister to lower taxes on alcohol, gasoline and cigarettes. They have asked him to strike up a task force with them to come forward with some reasonable, prompt answers. He blames the feds. It really does

not matter any more that he blames the feds or he wants to meet at future dates with other interested parties.

The Speaker: The interrogative part?

Mr Stockwell: The problem is, for nine months he has sat on his thumbs and done nothing. What is the minister going to do to help the people in the cross-border towns, what immediate action, within the next week or two, to stop the 14,000 job losses and the \$2.2 billion? He should not tell me he is going to have a meeting; give me some positive response.

Hon Mr Pilkey: In response to the member's question, the first and immediate thing I am going to do is not follow the lead of the federal Conservative government or of the provincial Conservative government, because they have led us to this malaise that we are finding now.

The facts and the numbers I have indicated in response to previous questions are not numbers that I mathematically contrived or made up. They happen to be the facts that are open to everyone who cares to see them.

Third, the member suggests that I have not been asked to meet—

Interjection.

The Speaker: The member for Etobicoke West.

Hon Mr Pilkey: In fact, we have been asked to meet. Mayor Millson extended a personal invitation for my personal involvement, which I agreed to give, and we are going to fulfil the promise of having them, the federal government and ourselves all meet towards filling it.

Ms Harrington: My question is also for the Minister of Industry, Trade and Technology. This past week I met with the director of the Niagara Falls Chamber of Commerce, and yesterday, which happened to be a day-long celebration of the 50th anniversary of the Rainbow Bridge, I had occasion to speak with representatives of the bridge commission, with local customs and local immigration officials and with various US politicians and US businessmen. We discussed the relationship between our two sides of the bridge. In fact, there was some hope that in the next year, possibly before the next federal election, the value of the US dollar would be lowered.

The Ministry of Industry, Trade and Technology recently reported that cross-border shopping would cost Ontario \$2.2 billion in lost retail sales this year. What is being done is what we need to know.

Hon Mr Pilkey: Let me just reiterate the same response I gave to the member opposite from Etobicoke. The numbers I have commented upon are quite valid. Many of the cross-border shopping circumstances have happened since the FTA, since the GST. That is a circumstance that was not of our making but it is one which we are prepared to address. We will in fact meet with all of the parties involved in this difficult situation and try to elicit a response and some movement to mitigate the difficulties that have occurred as a result of this increased cross-border shopping.

We hope we will find a basis of co-operation. We certainly will not find it with the antics of the member opposite,

but hopefully with cooler heads and more responsible perspectives we will.

SMALL BUSINESS

Mr Mahoney: It must be the Minister for Industry, Trade and Technology day. I do not know what he has done to deserve this. My colleagues are telling me "nothing," so maybe that is the answer.

My question is to the Minister of Industry, Trade and Technology and has to do with small business, a sector of our society that is getting smaller by the day, as he and people in his ministry, obviously, sit and try to figure out what to do. I know the minister has had some trouble in answering directly the questions, perhaps because they are too broadly based. I would like to focus in on one specific initiative that was started by my colleague the former minister when he was the minister, the member for Wilson Heights, when the one sector of our society that had a financial impact statement prepared on every piece of government legislation, on every piece of regulation was the small business community. That financial impact statement was conducted so that cabinet would have some idea what it was doing or creating to the small business sector before it agreed to go with something.

My question to the minister is, is his ministry still preparing financial impact statements on legislation, government policy, regulations or anything that would have an impact on the small business community?

Hon Mr Pilkey: The answer is yes, and it extends beyond small business. There are reference notes with respect to all legislation that will be emanating from the government as it would impact on the clientele of our ministry. It provides a valuable insight so that the minister, in this case myself, is able to reflect the needs and concerns of our clientele when those decisions are being made.

Mr Mahoney: I must say I am surprised to hear he is still doing it, because in the first four months of this year business bankruptcies in this province have totalled 1,329 as compared to 730 last year, that is only an increase of 100%. I would appreciate he not tell me about the GST and all those problems our cousins in Ottawa have created. I understand that is part of the problem, but if he is doing a financial impact statement or study on legislation or any kinds of bills that are coming forward—Bill 70, whether he is talking about the deficit—did he do an analysis of the impact on the deficit?

In an answer to one of the earlier questioners, he said there was no change in the corporate tax rate. That can only lead me to believe he does not think of small business as being in the same category as the larger corporations, because they increased the surtax on small businesses with incomes over \$200,000 by 3.7%. That to me clearly is a change in the corporate tax rate.

They did bring in the job guzzler-gas guzzler tax. That clearly has an impact on people in the tourism industry who need four-wheel drive vehicles, perhaps, for their operation. An increase in the cost of \$700 to \$2,400 has a clear impact. He could not have done a financial impact study, and if he did, obviously he did not care about what

that financial impact study did—all gasoline taxes, the impact on small business getting smaller by the day.

The minister tells us he does a financial impact study. He should either share with us the results of the financial impact studies as a result of the budget, as a result of the legislation, as a result of all of the ancillary legislation, or he should tell us he really did not pay any attention to the impact study and just does not care about small business in this province.

Hon Mr Pilkey: I find this whole place is very interesting, particularly receiving criticism from members opposite who were totally involved as architects with the past policies and programs in the first place, but I guess that is politics. But at least I get to agree, in response to this question, with my friend the leader of the third party, who has stated many times quite accurately that under the former government, the former Treasurer probably brought in more lists of different varieties of taxes than one could possibly count unless one had an adding machine.

None the less, we have a very sincere interest in small business, in large business and in all business in the province. We believe that through the budget the Treasurer tabled he did not go out and kill business. He provided dollars and pushed them into the economy, which maintained and stimulated jobs and kept people at work. Small business was a beneficiary of all those contracts and all of those awards that were let. It will be our intention, as we have done through a wide variety of programs, to continue to support small businesses in the future. They are a vital part of this economy. I am sorry if the member opposite does not like to hear that it is primarily the federal government fiscal policies that have caused this recession, but that is the case.

1520

ELECTROLYTIC EPILATION

Mr Eves: I have a question for the Minister of Health. Can the minister tell me how she can justify OHIP spending over \$6.5 million of taxpayers' money last year on the cosmetic procedure of electrolysis in this province?

Hon Ms Lankin: I think it is a very good question the member raises. He will be aware there was a group of people here today outside the Legislature, who are involved in the delivery of electrolysis services in the private sector, who are not covered under the OHIP procedures. It is not done in a doctor's office. They have raised very serious concerns about this issue.

The ministry, under the former minister, prior to my coming into this portfolio, set up a process to review that policy question. The member may be aware there are situations and where many times it is women patients who have hormonal imbalances and medical problems that give rise to a need for this service.

In the past there have been medical criteria. I wonder how closely those medical criteria have been monitored and implemented, and that is one of the issues I have asked the ministry to report back to me on. In any event, that issue is currently under review.

Interjections.

The Speaker: Order.

Hon Ms Lankin: I have asked for—
Interjections.

Hon Ms Lankin: It is very difficult to answer a serious question if the members opposite do not want to listen to the answer. Anyway, in wrapup on that, I think the member raises a very good point. I have asked for a response to come back very quickly and will be glad to let the House know.

Mr Eves: Mr Speaker, through you to the minister, I am sure the minister is aware that this review, as she refers to it, by Dr MacMillan, I believe, and others in the ministry, has been going on for some months if not years now.

In the health care system in the province today we have waiting lists, for example, for children's mental health, head injuries. We do not have proper facilities in the province for substance abusers. We have all these problems out there. We have hospitals having to close beds and emergency wards. And yet we have a situation where in 1981 OHIP was billed something like \$16,000 for these same services, I believe, and last year that figure had risen to an almost unbelievable amount of \$6.5 million.

Last week we sat in this House and watched this government's Minister of Education announce a program to cut out \$2 million worth of awards for Ontario scholars because it could not be tolerated during this time of restraint. How can the minister stand there with her priorities in place and justify a policy that spends \$6.5 million on a cosmetic procedure?

Hon Ms Lankin: The member raises the issue of places where there have been expenditure cuts, and I am glad he does that. I think it is important that people realize that as much as we often get criticism from the third party with respect to the deficit and expenditure increases in a certain area, we did undertake to make cuts from budgets and achieved about \$700 million in reductions, and that was an important part of this.

He talks about the fact that this review has been going on perhaps for years. In fact, I am not aware whether it has been going on for years. I am sorry. The member will know I have been here a matter of months at this point in time.

I take the point that has been raised very seriously. Where we see procedures being done for cosmetic reasons, I agree completely with what the member says. My concern is that there are some situations where there is a medical basis to this. The growth and the expenditure in this area give me great cause for concern. I have asked for the report being done to be expedited to me very quickly. I have met with representatives of the industry out there. I have taken note of their concerns and hope to be able to have a response to this issue very soon.

FOREST FIREFIGHTING

Mr Jamison: My question is for the Minister of Natural Resources. We have all been watching with concern and interest the situation at Summer Beaver. I wonder if the minister might be able to update this House as to the status of the fire and the general condition of the community?

Hon Mr Wildman: I appreciate the member's interest in this situation that is affecting a small aboriginal community in the far north. The fire is covering an area of 7,400 hectares to the southwest of Summer Beaver. It is very erratic and spreading very quickly. However, the direction of the wind right now ensures the smoke is blowing away from the community, but we have had to evacuate 81 people, mostly children and elderly people, to the town of Geraldton and they are being housed there in the community hall.

Geraldton has extensive facilities and experience in dealing with this type of situation. In our view, this is a most inappropriate way of dealing with the situation and we want to rectify it in the near future. The ministry has five four-man crews, four helicopters and one airplane as well as water bombers in use. We have hired 50 local native firefighters to set up a sprinkler system in the community. We are working as hard as we can. I know this is a small community. It is the far north and most people in southern Ontario could not give a damn, but we care about it.

Mr Jamison: Even though the opposition parties do not believe this is a very serious situation, it is to the people who live in that community. I am still concerned, though; with the history of the evacuations in this community, does the minister have any intentions of improving the response for instances like this in the future?

Hon Mr Wildman: The evacuation is a problem that causes serious inconvenience and disruption to families, particularly the sick and the elderly. In the near future we will be moving towards new approaches to northern fire protection. We are committed to consultation with the aboriginal communities in the far, remote north to ensure that in future we do not have to continue to evacuate people. In most cases we can provide protection in their own communities. This is an important issue and one that everyone in southern as well as northern Ontario should be concerned about.

CHILD ABUSE

Mrs McLeod: I have a question for the Minister of Community and Social Services. The minister will be well aware of the mandate given to children's aid societies under the Child and Family Services Act. That legislation states that children's aid societies must investigate allegations of child abuse, protect children who have been abused and provide guidance and counselling to vulnerable families to protect and prevent child abuse from occurring. These services are not discretionary; they are services which the legislation demands the children's aid societies provide.

I ask the minister whether she agrees that investigation and prevention are essential, that protection involves much more than just taking children into care and whether she will commit to ensuring that children's aid societies are properly funded to be able to respond to growing the incidence of abuse.

Hon Ms Akande: Yes, we have committed, and it has traditionally been so, that issues that involve direct services to children who have been abused are paid for, are funded, are directed and there is no question but that they

will continue to be so. However, the question of funding to which the member refers for the CAS is one that has grown over time. We have committed to studying the issue and to listening to the submissions of many of the children's aid societies about this, including their Ontario association, and when we can rectify those issues that have continued to grow we will do so.

1530

Mrs McLeod: I believe it is a correct statement to say that in not all cases are investigation and prevention considered to be and funded as mandatory services. I think the minister will fully recognize that one of the tragic results of a recession is that families are under additional stress and children are at greater risk.

The reality is that right now in this province, although the government's budget had an increase in expenditures of 13.4%, children's aid societies across the province are experiencing significant deficits; 46 out of 54 agencies are expected to have deficits and the deficits are expected to reach something in the order of \$69 million this year.

With a 13.4% increase in expenditures, could this government not have made the protection of children at risk a true priority? What will the minister now do to help children's aid societies meet this growing need, and why have children fallen off the NDP agenda?

Hon Ms Akande: The member will recognize that we have always funded and continue to fund direct services to children. There has been no change in that. We have in fact sponsored the growth of any services we have to support children who have been victims of abuse, and we also continue to do that.

The reality is that where the CAS has come into problems and is having difficulty, it is for the capital funding in addition to the services that are paid. The direct services to children are always paid. For several years now those capital funds have not been given and the deficits have continued to grow.

We have addressed the problem widely, we have addressed it individually—

Interjections.

The Speaker: Order.

An hon member: Tell them to shut up.

Hon Ms Churley: Just shut up.

Hon Ms Akande: What in fact we have—

The Speaker: What troubles me is certain words that are uttered. I realize people get emotional about these things, but please, more temperate language.

Hon Ms Churley: I withdraw that remark, Mr Speaker.

RENT REGULATION

Mr Tilson: I have a question for the Minister of Housing. In the new rent review legislation introduced last week, the minister has capped the amount landlords are able to increase rents due to capital expenditures at 3%. The Ministry of Housing has stated there is a \$7-billion backlog of repairs needed to maintain the province's apartment stock, much of which is more than 20 years old. The

epidemic slum situation in New York City will soon be witnessed here in Ontario.

Does the Ministry of Housing really believe that 3% will be enough to cover these necessary outstanding repairs of \$7 billion?

Hon Mr Cooke: If the member takes a look at the capital requirements for this province as we outlined in the discussion document leading up to the permanent rent control legislation, he will see very clearly that the amount of money provided for within the rent packages proposed in last week's rent control legislation is adequate.

The 2% in the guideline will produce \$160 million a year on its own. When you compound that year after year, you will see that this package is very generous indeed. It is generous for a reason, because we want to see our apartment stock in this province properly maintained. That is why the 2% for the first time is labelled in the guideline as being for maintenance and capital, rather than a simple giveaway in terms of profits.

We are making sure that tenants in this province will have two types of guarantees: affordability and maintenance.

Mr Tilson: I think the Minister of Housing is in a dream world. There is just no way what he is saying is going to happen.

The minister has made it quite clear that he is committed to the protection of tenants in Ontario. A press release issued by the Premier, who was the then leader of the NDP on 18 April, 1990, stated that one third of Ontario tenant households pay over 30% of their income on rent. How does the minister intend to protect these tenants of Ontario who are unable to afford the potential 8% annual increases allowed in his new rent review legislation?

Hon Mr Cooke: This argument really has caught me off guard because I have never heard the Conservative Party speak about the need to protect tenants in the province. I am very happy to hear the philosophy of the critic for the third party now. I am very happy to hear that they finally understand that tenants do have an affordability problem, and part of the solution to that problem is for government to act. This government has acted.

Mr Jackson: Mr Speaker, on a point of order: The Minister of Housing has asserted that is the first time he has heard that concern. The minister is very aware that the only political party in Ontario to support George Thomson and the SARC recommendations for the poor and rental housing in this province is the Ontario Progressive Conservative Party. That has been entered into debates on several occasions and the minister is well aware of that.

The Speaker: The member will be well aware he has a point of great interest to many, but not a point of order.

FOREST FIREFIGHTING

Hon Mr Wildman: Mr Speaker, on a point of order: If the members of the House would give me unanimous consent, I want to make a very short statement about a serious situation in the northwest that has just come to my attention.

Agreed to.

Hon Mr Wildman: I just wanted to let members of the House know that we have just received news that in a forest fire at Deer Lake in northwestern Ontario a nursing home has been burned. We do not know any further details. We are attacking the fire and when there are further details we will inform the members.

PETITIONS

FRENCH-LANGUAGE SERVICES

Mr Cousens: I have a petition signed by approximately 30 people from around northern Ontario to the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Whereas the French Language Services Act, 1986, Bill 8, continues to elevate tensions and misunderstandings over language issues throughout the province, not only at the provincial but also at the municipal levels; and

"Whereas the current government disputes its self-serving select committee and intends to encourage increased use of French in the courts, schools and in other provincial services to ensure that the French Language Services Act is working well to the best of their concentrated efforts; and

"Whereas the spiralling costs of government to the taxpayer are being forced even higher due to the duplication of departments, translations, etc, to comply not only with the written but also the unwritten intent of the French Language Services Act; and

"Whereas the spiralling costs of education to the taxpayer are being forced even higher due to the demands of yet another board of education—French-language school board,

"We, the undersigned, request that the French Language Services Act be repealed and its artificial structures dismantled immediately, and English be declared as the official language of Ontario in governments, its institutions and services."

I signed that petition.

ALCOHOL AND DRUG TREATMENT

Mr Harris: I have a petition signed by 58 residents of North Bay and area which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"We, the undersigned, support the Vita Way Farm incorporated treatment centre as a long-term treatment facility for our youth. We feel with the closure of this facility that the chemically dependent youth will be forgotten. We also feel that sending the chemically dependent to the United States for treatment at a cost of over \$60,000 per client is unjust to such a facility when our budget from the Ministry of Community and Social Services is only \$240,000, which will treat 50 clients per year."

PLANT CLOSURE

Mr Wood: I have a petition here signed by 7,560 people. It is part of a petition where 11,174 names were collected. It

is a massive undertaking on the part of several groups which has been circulated in the Kapuskasing area and around the province.

The petition simply states:

"Whereas the implementation of the AMIS plan at Spruce Falls Power and Paper Co in Kapuskasing would result in the loss of 1,200 direct jobs and an estimated 6,000 secondary jobs"—and the summary on the petition is:

"We, the undersigned, ask the government of Ontario and the government of Canada to do all in its power to bring about a morally just and socially acceptable end to this dilemma."

ELECTROLYTIC EPILATION

Mrs Witmer: It is with a great deal of pleasure that I present a petition today that encourages the government to remove the cosmetic procedure known as electrolysis from the OHIP fee schedule. I had previously presented a petition with almost 1,800 signatures and today I present one with 394 signatures on it. I would like members to know that the Business and Professional Women's Clubs of Ontario also supports the intention of this petition. As well, the Canadian Federation of Independent Business has indicated that it supports this petition, and it has a membership of about 40,000 people.

The petition reads as follows:

"Whereas we are citizens of the province of Ontario and we are angry because the provincial health plan (OHIP) continues to pay the full cost of hair removal by epilation to doctors who do not perform this service personally,

"We petition that this is a cosmetic procedure that is consuming an increasing volume of tax dollars paid to doctors under the guise of an important and necessary medical treatment. We submit that epilation by electrolysis should be immediately de-indexed from the OHIP schedule of payments. We are asking you to spend less, not more."

1540

OATH OF ALLEGIANCE

Mrs Sullivan: I have a petition addressed to the Legislative Assembly of the province of Ontario reading as follows:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the assembly shall demand that the government of Ontario rescind its decision to eliminate the oath of allegiance to the Queen of Canada for police officers who must uphold laws that are proclaimed in the name of Elizabeth II."

I have affixed my signature to the petition.

SOCIAL SERVICES

Mrs Witmer: I have a petition here to the Legislature of Ontario that has been signed by 130 people from the Kitchener-Waterloo area and it reads as follows:

"Yes, I demand that the Rae government act immediately to introduce a social work act for Ontario. Without this urgently needed legislation, every member of the public

in Ontario, including those most vulnerable and disenfranchised, remains at enormous and unnecessary risk.

"Mr Rae, your government must act now. Building a strong Ontario for tomorrow is dependent on protecting the children and families of today."

I have affixed my signature.

INTRODUCTION OF BILL

MUNICIPAL STATUTE LAW AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT

DES LOIS CONCERNANT DES MUNICIPALITÉS

Mr Cooke moveD first reading of Bill 122, An Act to amend certain Acts related to Municipalities.

M. Cooke propose la première lecture du projet de loi 122, Loi portant modification de certaines lois concernant les municipalités.

Motion agreed to.

La motion est adoptée.

Hon Mr Cooke: Most of the amendments in this legislation were requested by municipalities. Some relate to individual municipalities such as the composition of Metro's licensing commission. Others will apply to all municipalities and their local boards such as the removal of the requirement for municipal auditors to be licensed by the Ministry of Municipal Affairs.

Most amendments reflect minor policy changes. Among these changes are permissive authority for county councils to elect their warden for a three-year term and the removal of a provision for the payment of fox bounties by municipalities which is inconsistent with the provision of the Game and Fish Act.

The bill also contains a number of amendments of a housekeeping nature. We have consulted with the opposition critics and I hope we will be able to proceed with this quickly.

ORDERS OF THE DAY

LAURAMAR HOLDINGS LIMITED ACT, 1991

Mr Elston, on behalf of Mr Henderson, moved second reading of Bill Pr3, An Act to revive Lauramar Holdings Limited.

Mr Elston: This bill revives a company which was, I understand, terminated for failure to comply with certain procedures. Steps have now been taken to comply with the procedures and for the purposes of legal actions and other steps, it is necessary to revive the company and give it full form and effect. I move, as a result, on behalf of Mr Henderson, that this bill receive second reading.

Motion agreed to.

Third reading also agreed to on motion.

EASTERN PENTECOSTAL BIBLE COLLEGE ACT, 1991

Mr Bisson, on behalf of Mr Sutherland, moved second reading of Bill Pr37, An Act respecting Eastern Pentecostal Bible College.

Motion agreed to.

Third reading also agreed to on motion.

CITY OF NORTH YORK ACT, 1991

Mr Bisson, on behalf of Mr Perruzza, moved second reading of Bill Pr54, An Act respecting the City of North York.

Motion agreed to.

Third reading also agreed to on motion.

TOWN OF OAKVILLE ACT, 1991

Mr Sterling, on behalf of Mr Carr, moved second reading of Bill Pr24, An Act respecting the Town of Oakville.

Motion agreed to.

Third reading also agreed to on motion.

1550

PLANNING STATUTE LAW
AMENDMENT ACT, 1990

Resuming the adjourned debate on the motion for second reading of Bill 25, An Act to amend the Planning Act, 1983 and the Land Titles Act.

The Deputy Speaker: When we last debated that bill, I believe that Mr Sterling was the last person to debate it and adjourn the debate. It is now the government's turn to have a debate on it.

Mr Sterling: Mr Speaker, I believe I adjourned the debate, and therefore I just want to say a few words in addition to the words I had prior to the adjourning of that debate. I believe that happened some time ago, in fact over a month ago.

I brought forward a problem with regard to the retroactivity of Bill 25. Bill 25, for the people who may be interested in this debate, deals with the ability of people to will a piece of land to someone they want to inherit it when they die. On 25 July 1990, it became evident to the government of the day, the then Liberal government, that some people were using a will to subdivide large blocks of land into many pieces, which was really against the spirit of the Planning Act. Consequently, an announcement was put forward that as of 25 July, this practice would no longer be allowed in the province of Ontario. Until that time, it had been accepted by various governments that this practice was going on, and as a matter of fact, the practice had not been abused prior to perhaps the year 1990.

The problem with the picking of a date like 25 July or any other date is that it does not take into consideration those people who may have received a piece of land by the fact that someone has died in the last year since 25 July and has left the piece of land to, normally, their son or daughter. I indicated to the minister that I wanted to put forward an amendment to take into account what would happen to people between the date of 25 July and when this bill is proclaimed or passed or receives royal assent; in other words, once there is a law—

The Deputy Speaker: Order. We have just checked Hansard, and it is quite clear, Mr Sterling, that at that time, after you had debated, there were questions and comments. As far as the Hansard and the Chair are concerned, it is no longer your turn, so we will have to choose somebody else.

Mr Sterling: Mr Speaker, I will have an opportunity to speak on this during committee of the whole House. Therefore I will yield the floor at this time, since you are insisting that I do so.

The Deputy Speaker: Thank you very much. We need another speaker now.

Mr Elston: I am always entertained by the sterling words of the member who just recently departed from the floor. I appreciated his attempt, again, to kindle some spirit of lively debate in the place, and I must congratulate him for trying to sneak in this second opportunity to speak on the bill. He is very creative and crafty, and I wish to acknowledge to the constituents whom he represents his never-ending attempt at stealing the show in the Legislative Assembly.

Interjection.

Mr Elston: The member for Markham is in his place now, thinking that we are about to speak to Bill 74, but he will now wish to hear a little bit about Bill 25. It really does speak to a very serious problem which arose over a course of some time and was addressed originally by our government when we were there. There were certain announcements made by the then minister, Mr Sweeney, that would take into account the difficulties of dealing with subdivisions which were created willy-nilly and without adequate access to the planning required to make sure there was orderly growth in parts of the province.

There was in particular a concern raised on the question of the peninsula, and I know that the member for St Catharines spoke eloquently and at length about the serious nature of concerns raised there. He had also indicated, if my memory serves, how severely restricted the people are on the peninsula right now because of the difficulty in making an adequate return on the farm land that is generally seen to be the subject matter of these subdivision wills, if I can call them that.

It is quite clear that we are happy enough to be seeing the move to eliminate the difficulties caused by these types of subdivisions. There are social reasons as well as planning ones which come to mind, and I can think of at least one anecdote which was brought to my attention that caused me some real concern. There was a person suffering from a terminal illness who was actually approached to sign a will that would allow the subdivision. You can imagine the types of pressures and problems associated with those sorts of tactics in creating this sort of ad hoc subdivision approach. That bothers me almost as much as it does to see a loss of farm land that was not planned to be taken out of production or to be divided into smaller parcels, but maintained in the proper productive sizes that are necessary if farming is to carry on.

We are pleased to see the move, finally, to bring this back on. I know the problem itself has been around for some time, and I know the minister had originally introduced this some time ago and has issued some warnings about the degree of retroactivity which has been sponsored by the bill. As I understand it, this goes back to the date originally set by Mr Sweeney when he was minister. I must say that the maintenance of that particular date does

not give me as much of a concern as perhaps others would say it would, because there has been a lot of warning.

I note that the parliamentary assistant has also provided me with a draft amendment which I understand will be proposed to answer some concerns raised by one of our colleagues from the Progressive Conservative caucus, to the extent that it will try to remove some of the difficulties with respect to retroactivity as well.

I therefore stand at this point not to prolong the debate, but to acknowledge some steps having been taken by the government. Sometimes people are concerned that we do not agree on very much in this place, and there is a sense that there is no development of a consensus here without a great deal of rancour. I would have to say that, from my point of view, when things are done in a reasonable fashion and when there is a way in which our minds can come together to agree on a course of action that is reasonable and realistic, we owe it to the House to express our support for the government in those initiatives.

It is not always that we would come to agree with our friends across the way, because they have a different view of the world and the way it is to be recast. I think that will cause us other, more interesting debates along the way. In fact, when we get to talk about Bill 74—my friend the member for Markham has just departed the House. I hope it was not something I said. But when we get back to Bill 74, perhaps we will have a few words to say about the philosophy behind some of the steps that have been taken with respect to that bill and others. In this matter, however, I wish to rise and offer, on behalf of our Municipal Affairs critic, the member for Oriole, the support of the caucus with respect to moving on this second reading. We will be supporting the bill.

The Deputy Speaker: Are there any questions or comments? Are there any other members who wish to participate in this debate? The member for Grey.

Mr Elston: Oh, oh.

Mr B. Murdoch: "Oh, oh" is right.

Mr Elston: I get two minutes.

Mr B. Murdoch: Yes, you get two minutes.

I would just like to stand up and say that, in our party, we also feel this is a good bill. We did have some problems, with the retroactivity. I am led to believe that we have had some changes, and our member spoke about these changes when we debated this bill some time ago. I am pleased to see that the government has listened and has brought some changes in. We will be looking at those later on.

I was just looking at some of the comments, though, that went on in the last debate, and I would like to comment on them. I was not here the last time, and this will give me a chance to do so.

I noticed the member for St Catharines went on at length to mention how in his area he had the Niagara Escarpment and how wonderful it was. We also in our area have the Niagara Escarpment, and we believe it is a wonderful asset to our area as well. We also, though, have a commission that runs it that we do not feel is an asset to our area. It has been too restrictive and has caused problems.

People took advantage of this bill to create lots on the escarpment, which I do not believe has happened in my area, but maybe in the area of St Catharines. I believe that should not have been done.

The member for St Catharines also went on, in a lengthy debate, about the wonderful farm land that is in his area. I hope he has had a chance to pick stones from some of the farm land in our area. We have some good land, but we also have a lot of land that is not so good. We feel that this land should be developed for other than agriculture purposes.

1600

Another of the comments that was mentioned that day was from the member for Huron. He called the people who used this law greedy, and I do not believe some of the farmers who made a will and wanted to leave their sons or daughters some land were greedy. There may have been some people who used this to their purpose, but I do not think all the people were, and I think that was an unfortunate statement that was made in this House, putting all those people in that category.

I also would like to congratulate the member for Carleton, who went to great lengths to look at this bill and come up with some ideas on how we could amend it for the retroactivity, because that was the problem that we had. I think the governing party has looked at that and come up with an idea of its own, and I congratulate it for doing so.

The member for S-D-G & East Grenville mentioned that in his area also they have agricultural land that is not number one or two and could be used for severances and things like this, but we do feel it should be done through the Planning Act and that this bill sometimes lets some things slip through. I will look forward to the amendment when we get to committee of the whole and I will be supporting this bill.

Mr Ferguson: Very briefly, I just want to say that this is a prime example of this government's willingness to co-operate with the other two parties, when the other two parties and the government can meet on a basis where we put together our minds and we come up with a solution to what could have been, for a number of individuals in this province, a very real problem that no doubt would have existed.

The intent of this bill is to prohibit circumvention of the Planning Act. However, much like any other legislation that is passed in this place, I think we recognize that there is a period of time when in fact what takes place is a lead time for the legislation to be adopted and events that have taken place prior to the legislation being adopted.

What we are trying to do here is stop the abuse but try to accommodate those individuals who have already taken action with respect to lots created by a plan of subdivision that has been bequeathed by a will. We listened, of course, to arguments from members of our own caucus as well as the third party and the official opposition, and we recognized the validity of those concerns expressed. As is normal in this place, this government decided that they are legitimate concerns and that we would propose an amendment in order to keep everybody happy and to serve the

residents of this province in a fair and equitable manner, and that is exactly what is taking place. So in doing that, I would like to support second reading of the bill.

Motion agreed to.

Bill ordered for committee of the whole House.

House in committee of the whole.

PLANNING STATUTE LAW AMENDMENT ACT, 1990

Consideration of Bill 25, An Act to amend the Planning Act, 1983 and the Land Titles Act.

Section 1:

Mr Ferguson: We have circulated a copy of the amendment to the other two parties, and I would just like to suggest that in repealing subsections 49a(4), (5) and (6) of the act, it would read that: "(7) Subsections (4), (5) and (6) are repealed one year after the day on which this section comes into force."

I am told that it would make life a lot easier for a number of individuals if we could put in a specific date. I suggest that the way the bill is worded now this would be 26 July 1991, so a two-year extension would take us to 26 July 1992, if that is agreeable to everybody.

Mr Sterling: No, a two-year extension would be 1993.

Mr Ferguson: No, it would be 26 July 1992. The effective date of this bill would be 26 July 1990. That is what we agreed upon.

The First Deputy Chair: I am going to read the whole amendment so that we are very clear on this.

Mr Ferguson moves that section 49a of the act, as set out in section 1 of the bill, be amended by adding the following subsections:

"(4) Despite subsections (1), (2) and (3), the minister may by order give effect to all or any part of a provision in a will purporting to subdivide land if the person who made the will died before the day on which this section comes into force.

"(5) No order shall be made by the minister in respect of land situate in a local municipality unless the council of the local municipality has, by bylaw, requested the minister to make the order.

"(6) A council may, as a condition to passing a bylaw under subsection (5), impose conditions in respect of the land to which the bylaw relates.

"(7) Subsections (4), (5) and (6) are repealed on the 26th day of July 1992."

1610

Mr Sterling: I think we should perhaps explain what we are doing here for people who might be interested in the debate. Basically, the amendment follows a suggested amendment which I, along with my colleague the member for Grey, drafted to give to the minister some discretion to allow a severed lot to continue to exist if it was severed by will and testament after 26 July but before this bill became law.

There is a conundrum in that in between those two time zones you have a situation where a person has a validly severed piece of property, but then when this bill

passes it goes retroactively back to 26 July and says one no longer has a subdivided lot. I suggested to the minister that he give himself the power to grant the severance. The minister has taken upon himself that power, provided the municipality passes a bylaw which asks the minister to make this a valid severance. While I would have preferred the minister to retain this power of his own volition and not require the municipality to be involved, I accept that as a compromise.

The proposed amendment, as was presented to my friend the member for Grey and myself, was that this would come into effect immediately but this section would disappear one year after this law came into place. Supposing the law came into place on 30 June, assuming it received royal assent somewhere around that time, then this section would be repealed one year later, which would be the end of June 1992. Now they are putting in a specific time of 1 July 1992, which is probably better in terms of clarity of the legislation, and I do not argue with the intent.

My concern is whether or not 1 July 1992 is adequate time for someone who has been caught in this situation. I am saying that because it requires, first of all, action by a municipality to pass a bylaw, and in some of the more rural areas of our province municipal councils do not meet very often during the summer period, and therefore would not go into the mode of making this bylaw until some time in the fall.

As we all know, we have a municipal election coming up this fall and there might be a reluctance on the part of municipalities to take action where they should take action or do anything. Some politicians go into a state of being comatose in terms of what they do or they do not do when it approaches that magic election day. It is not only municipal politicians that do that; sometimes provincial politicians do that.

What I would prefer is that instead of it being 1 July 1992 it be 1 July 1993, so that if in fact there is a problem associated with having a bylaw passed—and as I understand it from the parliamentary assistant, and I asked him before, that bylaw could be attacked by other people and you would have to go through an OMB hearing. I see some negative responses from the staff. Perhaps the parliamentary assistant was misinformed on that part.

The First Deputy Chair: Are you finished?

Mr Sterling: I yield to him briefly at this point in time to clarify the point.

Mr Ferguson: Just to clarify, in point of fact anything under this act will not be subject to an OMB hearing.

Mr Sterling: That does allay my concerns then, and I would accept 1 July 1992 as a reasonable date.

I would like to thank the minister for considering my amendment and I would like to mention, coincidentally, that after I had brought forward the concern a situation came up in my very own riding of Carleton which I was not aware of when I raised the issue originally. John and Cheryl Fennell of the township of Osgoode brought to my attention a problem which emanated out of this legislation, and that was that Mrs Fennell's mother had made a will in 1988 and died on 17 August 1990 and, therefore, fell out

of the time frame of 26 July because her untimely passing was after that date.

After that, the three children who received the lot went to considerable expense to have the lot surveyed. One of the children listed their house for sale. The house was sold. Then they went to the township and said, "How do I get my building permit?" Therefore they had prejudiced themselves in a number of ways over what the existing law really was. Therefore it was my concern that we not be in a position in this province of making laws retroactively to take away rights from people where they exist as of this day, and they exist today on 10 June, that we not go back and take away those rights without having some method of fixing it up.

I would also like to acknowledge the interest of the member for London South, who also was very much interested in the debate and I believe may have spoken to the Minister of Housing because he was concerned over the point I brought forward.

Mr B. Murdoch: I also would like to thank the parliamentary assistant, the member for Kitchener, for taking the member for Carleton's suggestion. He looked after this and, for the record, I think he is the one who should be thanked for looking at this and changing it and coming to a compromise we all can accept.

Motion agreed to.

Section 1, as amended, agreed to.

Sections 2 to 4, inclusive, agreed to.

Bill, as amended, ordered to be reported.

On motion by Miss Martel, the committee of the whole reported one bill with a certain amendment.

1620

ADVOCACY ACT, 1991

LOI DE 1991 SUR L'INTERVENTION

Resuming the adjourned debate on the motion for second reading of Bill 74, An Act respecting the Provision of Advocacy Services to Vulnerable Persons.

Reprise du débat ajourné sur la motion de deuxième lecture du projet de loi 74, Loi concernant la prestation de services d'intervenants en faveur des personnes vulnérables.

The Deputy Speaker: I believe the member for Prince Edward-Lennox-South Hastings had the floor. Would you like to continue the debate or should I ask somebody else?

Mr Johnson: I would like to continue the debate on Bill 74.

The last opportunity I had to speak to this was just prior to 6 of the clock Monday last. I do not want to rehash or belabour the matter on which I was speaking, but I will reiterate a little bit and continue some further debate.

Bill 74, An Act respecting the Provision of Advocacy Services to Vulnerable Persons, is indeed a far-reaching bill. It empowers vulnerable people to accomplish things that they want through an advocate. It is hoped that it will eliminate much of the abuse, neglect and exploitation that I would not say has plagued vulnerable people in the past, but certainly has been a reality of their existence.

Our society is changing, and I think this act, by the fact that it is going to have a commission of vulnerable people who are going to deal with the real problems of vulnerable people, will go a long way to representing the very people they advocate on behalf of.

Having been an advocate for many years, I think I have learned much and seen much with regard to vulnerable people. I think I speak with some authority and certainly with some knowledge about the needs of vulnerable people. This bill is certainly—again to reiterate, there are people who see parts of it that they do not find particularly acceptable—by and large very good and will allow people the kind of legislation they need if they are those individuals who fall into the category of vulnerable persons.

I do not want to belabour the issue or be redundant in my speaking, but the Advocacy Act, 1991, certainly is going to go a long way in making the lives of vulnerable people better in the future. I think the fact that vulnerable people will have a voice through their advocates will lend them an opportunity to be heard and to live a lifestyle that will allow them the opportunity to grant many of the needs they otherwise might not have had available to them as a result of not having Bill 74.

I said before that had Bill 74 existed years ago, then maybe people would not have fallen through the cracks, as we say, as a result of some of the inadequacies in previous legislation. Although we know families are concerned about their loved ones and we know they certainly want to see the best for them, I do not think this bill is designed to take away the advocacy families play on behalf of their loved ones. I think it complements that very fact.

I think that about sums up my concerns and my debate on Bill 74. I think it is a good bill. As I am sure all the rest of my colleagues on the government side will do, I will support this bill and look forward to the implementation of this law.

Mr Cousens: I thank the member for his presentation. What I would like to have him explain to me, if he can, is why he feels this bill and the companion legislation will help prevent the falling through the cracks that he talked about. I continue to worry that there is still that possibility. If he has any information that is not publicly available, I would be very pleased to have it. I realize that in the caucus meetings they probably discuss these things more than we ever hear in public and there may be some other facts he can bring to the Legislature now. I am concerned—I will present some of my concerns shortly—that there is still the possibility some people will fall through the cracks. Any comments the member has on that will be appreciated.

Mrs Marland: When the member for Prince Edward-Lennox-South Hastings spoke last week on this bill, the first two thirds of his presentation were lauding his New Democratic Party government for its thoughtfulness in bringing forward this legislation. From that juncture he then went on to talk about his party in a sense which, if it were not such a serious subject, I think almost would have been humorous. It was almost as though people in this

New Democratic Party in Ontario were the only people in the world who cared about adults.

I think it is always unfortunate when political parties get up and start to say something that is basically questionable at best and leads the public who are listening to be convinced that nobody else in any political party in this province was ever worried about vulnerable adults before.

I really was personally offended, not only for our party but even for the Liberal Party. There is not a party in this province that has total licence in the area of caring. All of us in this House are elected to serve and to care for vulnerable adults, indeed for all those people we serve. I suggest to this member that he is not unique.

Mr Johnson: To the member for Mississauga South, I would like to say that I think I am unique, unless she has seen a clone of me wandering around somewhere, and I would like to know about that.

With regard to the comments from the member for Markham, I would just like to say that in talking about falling through the cracks, I think that if there truly had been advocates who were knowledgeable about the needs of vulnerable people, then quite likely government policy would not have closed down as quickly those institutions that housed mentally handicapped and developmentally handicapped individuals, because the real needs of those people were not realized by that quick closure of many of those institutions. That is what I meant by my comments.

With regard to lauding my own party and choosing not to condemn it, I say to the member for Mississauga South that having been in the field of advocacy for a number of years, I saw that at times governments did not look at the needs of vulnerable people from the perspective of the needs of vulnerable people. I think that is happening more and more. I will be honest and say it may not matter what party is in power, that this would have happened, but it surely did not happen in the past. I know that my government was not in power in the past, so I can say that my government was not at fault for that and certain other governments were. That is all I meant by that.

Mr Scott: My participation will be very short. I want to congratulate the government for introducing this bill. It is a bill in which I have had considerable interest because I had the opportunity to commission Father O'Sullivan to make one of the three initial reports that led to the drafting of this proposed act.

As the members will be aware, the other report was the Fram report, which was a consultative document that was actually begun by the previous government but was brought to completion by our government. The third was a report commissioned by the Minister of Health with respect to the psychiatric advocacy program. Those three reports have essentially produced the bill that is before the House.

I have two concerns, not about the bill but rather about the way the bill is being described by some of its advocates—I use that word non-generically—in this House. I have a feeling that the conception the government has of how the bill will operate is not consistent with the objectives Mr Fram and Father O'Sullivan had in mind and

which are reflected in the legislation. In other words, my concerns are not so much about the legislation as they are about the way the government describes what it proposes to do with this legislation. The member who spoke last, who spoke about vulnerable adults often not knowing what they wanted and cases falling through the cracks and the usual sort of social worker description of events, is an example of the concern—I place it no higher than that—I have now.

1630

The purpose of advocacy is to allow people to make their own decisions. The purpose of advocacy is not to allow someone to have the benefit of a decision made by an advocate or a care giver. Its sole purpose is to allow people to make their own—and I emphasize that—decisions. The need for it is represented by the fact that vulnerability extends across a wide spectrum of the population and takes an almost unlimited variety of forms. People who are clearly incompetent to manage their commercial affairs are competent to decide that they would like a second medical opinion, or that they would like to do without lunch today, or that they would like to live somewhere else, or no, they would not like to go to vote, even though you are pestering them at their door. These people, in that wide spectrum of vulnerability, should be allowed to make their own decisions.

The advocate, in the Fram scheme and in Father O'Sullivan's scheme, comes to them not like a social worker, a doctor or even a lawyer; he comes to them completely neutral and says, "These are the options," being certain to exclude none, and outlines, if it is necessary or useful, how the options work, explicitly for the purpose of allowing the vulnerable adult to make his or her own decision. So when we talk about cases falling through the cracks and people getting the care they need or deserve, those are important social policy objectives that Community and Social Services and Health and other ministries will have in mind, but they are not the objectives of an advocacy program.

I must say, somewhat hesitantly in the presence of the minister who I know will do her best with this bill, this is why I was initially very concerned that the program had been moved out of the Attorney General's department, which has experience in running neutral programs like legal aid, into a much more mainstream, substantive, positivist ministry such as the honourable minister runs and has, by definition, to run. I am very concerned about that, because if advocacy is not completely a neutral matter, if it is driven by the advocate's agendas or interests, it will not only not have served its purpose, but it will have done a very great injustice to the decision-making capacity, no matter how limited or fragmentary, of the vulnerable adult.

My concerns about that are not raised in respect of the Fram report, are not raised in respect of Father O'Sullivan's report, or even in respect of the drafting of the legislation. I think the people who did that work got it right about what advocacy is. My concerns rise exclusively out of the way some of the well-intentioned proponents of this scheme describe what it is going to do, because it is not going to do the things that are so described. It is not

intended to do those things, and it would be a major injustice to vulnerable adults in Ontario if it did those things, so let's have no more talking about the advocacy program as if it were some kind of social work program. It is not. It is precisely and narrowly an advocacy program designed to allow people exclusively to make their own choices. That is my first concern and I would like to know from the government, in due course, that that is what it means, because that is not what, from time to time, its representatives out there are saying.

My second concern is economic. This program will be a cruel hoax for vulnerable adults unless it is properly funded. A government like the present one, which is having some major difficulties—I sympathize with it—in funding legal aid, which is under very great stress—and the honourable minister will want to know that the biggest legal aid increases arose under our government—a government that, for reasons I understand perfectly, is having difficulty funding legal aid in family law matters, which currently is the situation, must be able to fund advocacy adequately. If the government is not prepared to make the commitment to fund the advocacy services, not only this year, but as they grow and as the need for them grows exponentially over the next decade, if it is not able to commit to that kind of funding right now, what the government is doing is making a promise, not a promise on the election streets that can be ignored or explained or dealt with, but a promise in government that it will have a moral obligation to respond to. If it makes that promise without the adequate resources to support it—and frankly, I have grave doubt about whether the government will have those resources—it has made indeed a cruel promise to the vulnerable adults of the province.

This is not something that it can do incrementally or halfway. It is not the kind of program that can be allowed to grow. It is a program that is open-ended and it is a program that makes a promise to people about a resource that will be available for them. It will be a cruel hoax indeed if, when the chips are down, those resources are not available.

So I ask the members of the government, all of whom are here, to make sure they understand—as I am confident they do; as I hope they do—the real meaning of advocacy, as David Baker of the Advocacy Resource Centre for the Handicapped and others will explain to those members, that it is not a social welfare system. I ask them also to remember the commitment they are making today for their government over the next four years and succeeding governments to finance the very significant costs that are part of this program. If those two things are done, I have every confidence that Ontario can be a model in providing advocacy services.

Hon Ms Ziemba: I thank the member, my honourable colleague in the opposition, for his comments. I value his judgement and his comments today because I know he worked very hard looking at this piece of legislation and, unfortunately, did not have the opportunity to see it go forward.

I do want to reiterate very strongly that advocates are a voice for the vulnerable adult. They do not speak with

their own initiative; they only are an extension to what a vulnerable adult is saying, and that is very clear if you look at the purposes of the act. They are: "To contribute to the empowerment of vulnerable persons to promote respect for their rights, freedoms, autonomy and dignity." Thus, what we are saying is that we want to make sure that vulnerable adults have that voice, have somebody to speak on their behalf and to express their wishes and desires through that person.

I share the concern that it be kept that way. I know that when we have professional advocates, the training and what we are going to do in our commission, that will happen because the commission itself is going to be set up so that vulnerable adults are going to have a voice. For the first time, they are going to be empowered to sit on a commission and to have the right to see how they can have that commission carry forward with the act. So it is an extremely important piece of legislation in that we are seeing empowerment—not only that they are empowered with an advocate to speak on their behalf, but also that the commission is going to reflect that in the choice of commissioners.

I also want to talk about why it is in our particular ministry and not in the Attorney General's office. This, as members know, comes forward with three pieces of legislation. One of them is guardianship. Guardianship is going to be carried through in the Attorney General's office. Saying that, we cannot have an advocate speaking on behalf of and for a vulnerable adult when the advocate is also in a guardianship position, entrusted with power over the vulnerable adult's affairs. It must be somebody who is at arm's-length relationship. It has to be separate so that the advocate can certainly speak on their behalf.

1640

Mr Johnson: The member for St George-St David reaffirms in my mind the notion that he does not always know what he speaks of, and by that, I will say he talks of the advocates being only in the roles of advocates and speaking with their own mouths on behalf of the vulnerable, instead of speaking on behalf of the vulnerable.

I have to say that there are people in this world who function at a level where they cannot communicate. They function at a level that will never allow them to communicate, and someone in society has to advocate on their behalf. I think the member for St George-St David has overlooked this very important point, because if we were to implement this legislation as he advocated, then certainly there would be a group of our population who would have been exempted by the legislation that he suggests.

So I think it is important to note that, yes, I do agree with him that this legislation is in the interests of vulnerable people and it ensures that we have people advocating on behalf of them, but not advocating on behalf of them when they can advocate on behalf of themselves. I think that is a very important point to make. But there is a small percentage of our population that functions very low. They cannot communicate, and at that point in time someone knowledgeable must come forward and advocate on their behalf. I think he has missed that point.

Mr Scott: I am grateful that the minister has got it right, because the honourable member who spoke last, while he may hurl insults at me, clearly has it wrong.

I remember the case of Justin Clark, a young man for whom the Advocacy Resource Centre for the Handicapped acted, who could not communicate at all, and people out there thought he did not know what he wanted to say. In fact, to say that he could not communicate did not mean he could not think and make judgements. What we did not need in a case like that was someone who would come in and say, "I'll decide what Justin Clark needs." What we needed was somebody who could explain to Justin what the options were. Why? So he could make up his own mind.

Now I am confident the minister has that right. I am confident the bureaucratic staff by and large will get it right under her influence, and I simply ask the minister to take aside members like the honourable member for Prince Edward-Lennox-South Hastings and explain that if you cannot speak, that does not mean you cannot make up your own mind in the most intelligent way. Remarks like that are going to get advocacy off to a wrong start unless the minister can control it.

The Acting Speaker (Mrs Haslam): Perhaps everyone here would like to join me in welcoming John Sweeney, former member for Kitchener-Wilmot and former Minister of Community and Social Services.

NOTICE OF DISSATISFACTION

The Acting Speaker: I would also like to take this opportunity to mention, pursuant to standing order 33 and the unanimous consent of the House to have an adjournment debate on a day not specified in the standing orders, the member for Mississauga West has given notice of his dissatisfaction with the answer to his question given by the Solicitor General concerning letters sent to members of the judiciary and the Attorney General regarding constituents' parking tickets. This matter will be debated at 6 pm today.

ADVOCACY ACT, 1991

LOI DE 1991 SUR L'INTERVENTION

Mr Cousens: We are discussing and debating a very important bill and I am pleased to follow on from the member for St George-St David. On 16 December 1986 he announced the appointment of Sean O'Sullivan to begin a committee which ended up with a report called *You've Got a Friend*, and is certainly a person who has a lot to offer on this important subject.

I think when you are dealing with vulnerable people it is not something that needs to be or should be a partisan matter. It crosses the boundaries of all our society and it certainly has to be an issue in which every one of us from this Legislature and from society as a whole participates and understands as fully as possible.

The fact of the matter is that we have in excess of one million vulnerable adults in the province of Ontario, and these are people very dependent upon the rest of society to make sure we maintain the kind of resources and the kind of advice, counsel, support and services that will allow them to live a life as fully as is possible with a quality of

life and to find the happiness and the wellbeing and the security that really are rare in the world but should be something that is no exception here in the province of Ontario.

I think very often we take for granted just how great a province this is in that we are concerned with the wellbeing of all the people in this province. Over a period of time I think we have somehow failed to address the concerns that are being brought forward in this bill and the companion legislation. I am pleased that this House and this Legislature will spend some time to try to clarify the services and the support mechanisms that society should be giving to vulnerable people.

There is a real need for advocacy in our province, and I know that a number of our members have addressed it, but it is going to boil down to a number of issues. There is a need for funding, and how can we continue to say we need certain things if in fact the resources are not applied to them? It may well mean the realignment of priorities of the government and of society to make sure that as we go into the future there is at least a balanced understanding that says that for those who are vulnerable, there are services, there are support mechanisms available to them.

I think we also see that the people who are presently serving the needs of those who are vulnerable have excessive workloads. My experience as a therapist and a chaplain at Oak Ridge in the Penetanguishene Mental Health Centre gave me an insight as to the kind of workload that is carried on by people who are within an institutional environment. They do not have what you would call a ratio of patients and people being served with the delivery of those services that is all that great, so they end up having to look after a large number of people and are not able to give the time and the counselling and the services that they so often want to give, but it is just the pressure and the demands that are upon them.

We have a province in which we have institutionalized very many people, and there has been a movement out of institutions over the last five or seven years. That has ended up with disruption and problems for those people who need to be cared for. I have seen the repercussions, where in fact a number of those people who were moved out of an institutional setting in which they were comfortable and had a sense of identification have lost that, and many of them went into a cocoon. Many of them lost their sense of wellbeing and their confidence, and in fact a number are said to have died because of the shock of having been moved out of the comfort they felt in an institutional environment.

As we have made these changes over the last five, seven, eight years—I remember when they started and I remember the concerns I had back then. I still have the same kind of concern that there are some who are well suited to an institutional setting, some to a smaller, group home setting and others to their own homes where family and friends will look after them.

What we really need to do is understand the kind of workload that is required to maintain a quality level of life for those people. I think we need direction for all those people who are vulnerable, so that it is not just a matter of

in one setting, trying to do one thing and in another setting, something else. But maybe through the kind of bill we see here with Bill 74 we will begin to see a long-term strategy for those who are vulnerable. I think that we will see, through the bill, some kind of supervision at a higher level. I have some concerns about that, and I will address that in my remarks.

1650

I believe we need a commission to look at it and we need to have advocates who have an assignment within society. Certainly people who are in institutional settings now have advocates who are there to fight on their behalf, to present their concerns and to make sure that, like an ombudsman, there is someone who hears, listens, understands, interprets and passes on those concerns for further action.

I guess what we really have is a sense of increasing accountability on the part of all members of society for those who are vulnerable. We can never ever think that is going to happen automatically. There has to be a sense in which society has placed its responsibility on others who are then going to watch out for their needs and concerns.

The funny part is that some of us who are in this House, and many who are watching on TV, will know of healthy, fully active and dynamic people within society who were stricken after the fact and became one of those whom we are talking about now. That is the after-effect of Alzheimer's. It is the effect of different kinds of sicknesses that will come on people at different times. It is the result of accidents they can have that suddenly make them vulnerable people. We have a responsibility as legislators to develop a strategy and a process that will allow us then to say we are doing the right thing for vulnerable people in our province.

The fact of the matter is, we will do everything as best we can and it still goes down to the local level and the family and the home, which is still the most important part of our society. You can never ever do away with the home. We in the Ontario Progressive Conservative Party are great believers in it. I mention it because when people ask what we stand for, I believe strongly that whatever home it is you come from—and there are very different definitions of what that nuclear unit is now—it is the most important part of society. We as legislators have to support and undergird the home so that it continues to be a place where you find comfort and strength from one another.

The traditional sense of a home as I once knew it may be different under the modern definition, but it is still that small nuclear unit that allows us then to say we as legislators are reaffirming our faith and hope that within the home, where possible, they have the resources and the strength and the courage and the sense of society's backing to do what is right.

When I looked at Sean O'Sullivan's book, *You've Got A Friend*, one of the points he made there is that the lack of co-ordination of advocacy services to all vulnerable adults requiring assistance is a profound injustice. The fact that there are so many out there who still require assistance is one of the most profound injustices in our society. The fact

that we are going to address it is in fact a step in the right direction which began many, many years ago.

I guess this is the problem I have with some members who say it is the New Democrats who are now coming of age and doing something. I think it is one of those issues that every one of us in this House can say we are moving towards with a sense of urgency and a sense of obligation to address and meet those needs conscientiously, fairly and in a concerned, compassionate way. I do not think there is any doubt that our society today demands that each one of us accept that responsibility.

I have a number of concerns with just how we are going to handle it. There are 76 pages in three different bills, all three bills dealing with three different areas that would fall under this area of advocacy for vulnerable people. There is guardianship, which is Bill 108, and the whole sense of decisions on behalf of adults. Another one is under the Ministry of Health, An Act respecting Consent to Treatment. Three bills and 76 pages, a lot of reading.

It is surprising that when these bills came down, they were not all delivered in the House at the same time. The Minister of Citizenship delivered Bill 74, An Act respecting the Provision of Advocacy Services to Vulnerable Persons, on 18 April. Why then were the other two bills not tabled at the same time? I think I know why. I do not think the government had its acts in place at the time. It had not finished the drafting of them or the translating or whatever. But these three bills should have been brought in together, not separately.

It was wrong to bring them in separately because you could not begin to understand what each one was trying to say. I venture to say I still do not know. There is still too much within these bills for my mind to fully comprehend because of the overlapping concern that we have for them. That is why I asked one of the previous speakers, "How do you know that with Bill 74 there aren't going to be people falling through the cracks?"

That has to be one of the concerns that will be addressed as we look at these three bills together, that we do not take them separately when they go to committee. Hopefully, there will be public input into what we are doing so that all three bills are seen on the scales of the balance of what is right and wrong and that we go away saying, "We have dealt with the issues that deal with that shady area, the murky area that has not really been dealt with for a number of years."

I am concerned. I start off with a criticism of the three ministers who brought these three bills down, two on one day, on 27 May, and Bill 74 on another day. It makes it incomplete for us to be dealing with this bill to the exclusion of the others. We should be looking at all three together somehow. In the opening statement by the Minister of Citizenship and in the other presentations by different ministers they have come forward and said it is going to be tied together.

This Legislature must now make sure that when Bill 74 goes to committee after we have dealt with it, it will be the same committee and somehow an overlapping concern is spent so that the three bills, 74, 108 and 109, are dealt with much around the same time. That has to be the case. I do

not know whether it is true. Certainly it would be my strong suggestion that we try to deal with them somewhat together.

I do not know how Bill 74 is going to help. I have a situation in my riding which has the people in Unionville more than a little concerned. Whether or not those three bills are going to solve the problem leaves me a little bit concerned. I am dealing with a situation where a person who is thought to have schizophrenia was involved in an incident that affected the whole community last year, in which there was a dog killed. It had its throat slit and the dog ended up dying several hours later after this incident. This person was charged, was taken to court and has been incarcerated for almost a year. In July this same person will be released from jail, and at that time the community will begin to wonder what will happen to the community when this person comes out jail.

The person has been in a provincial jail and has served his full term. The judge, in his statement about this 26- or 27-year-old, had said this person is a dangerous person, and is concerned about the wellbeing of the individual as well as society.

Whose rights will be protected when this person is released from jail? Does society have any way of protecting itself, or does this individual have a way of protecting himself? For instance, if a person with schizophrenia does not take his medication, he is then capable of doing things he would not normally do when he is under medication. Yet you are not able to force a person to take medication under the present acts, the Ontario Mental Health Act and different laws of the province. When this person then is free to roam in society again, does the neighbourhood have reason for concern that something could happen?

1700

How do we protect either this person from himself or the neighbourhood from him, and how do you weigh one against the other? It is a complicated question. I have the judgement of the judge. I have information from the Law Society of Upper Canada which says there is very little that you can do in society in such a situation with a person with schizophrenia. There are people on the one side who say that an individual's rights and freedoms are more important and balance it off against the rights of all of society. I know it is a complicated question, and yet unless you want to take it to court—my honourable friend the member for St George-St David would be able to explain the law far better than I, not being a lawyer, but I know that society does not feel protected from this vulnerable adult who is—

Mr Mammoliti: What's your solution?

Mr Cousens: The member should not make fun of this one. I do not think that there is an easy solution. My concern in raising this is that I would hope that when we take this legislation out for hearings and discussion, we can look at incidents such as the one I am describing that will take place in Unionville on 13 July when this person gets out of jail. He has been in protective custody, which is like solitary confinement, for a large number of months and will now be back in society. If he does not take his

medication, what happens to him and to the rest of the community when he comes back into it?

I am saying this as one who really understands to some extent his need for individual rights and freedoms, but I also understand the needs for society to be protected. When we are coming out with vulnerable adults and legislation that affects them, how does this person fit into that legislation? I do not know. I want to make sure that we can draft some way in which we deal with the balance that is needed in society of the individual against the other needs.

I have been on CBC on this subject. I am meeting with the community on the matter. We are dealing with it at a level on which we are trying to come up with answers, and I realize there is no quick fix, but when we are looking at this issue, let's be smart enough as legislators to say, "Hey, not everything is easy and sometimes we are going to have to deal with those matters and hopefully come up with some kind of way of addressing the need."

I had a situation that was discussed with me yesterday of a mother of a 23-year-old young man who is handicapped. This young man was in for tests, psychological in nature, that were an assessment. As it turns out, the mother of this 23-year-old man, who she is looking after in her own home, cannot gain access to the results of those tests without her and her son going down together to the doctor and signing it off together, and yet she is the guardian and somehow responsible for him. The red tape that she is going through just in trying to get information to deal with her own son, who is now of age, is a nightmare. She is anxious to do the right things for her son. I know her as a most responsible, caring, loving mother, and yet the law prohibits her from gaining access to information under freedom of information and so on.

We have got to somehow break through the logjam and have some common sense that deals with people as people. We understand that there are a lot of caring parents who are trying to do the right thing for their children. Society should have some way of allowing them to do it and cope with the problems at the same time. Dealing with vulnerable people, handicapped people, has to be something that you just do not come along and say: "There's the law. It's black and white. There's no grey." There is a grey element to it, and what are we doing about that? Are we discussing it? We cannot when the House is just having a discussion on second reading, but we could if this bill does go out for more input and more guidance by the public as a whole and legislators around the table trying to deal with it.

I am concerned about issues within Bill 74. One that has me somewhat concerned—the intent may be right, but the implementation could be a problem—has to do with the right of entry into a home in which a vulnerable person is housed. I am thinking of a number of people who are vulnerable adults who are mature people in years chronologically and who have been in the home for a long period of time. If an outsider would go into the home and see this person, he would say, "Gosh, you're being rough on them," or "You're speaking too strongly," or "You're disciplining them too harshly," and yet for that very person who has had to be cared for in that way, if you really sat down and figured it out, it could well have been the right discipline, the

right words, the right technique in order to deal with him. Yet an outsider or an advocate who did not fully understand the dynamics of that home and the relationships that were held between the caring family and the vulnerable adult might come along and say: "Aha, you are mistreating them. You shouldn't have that person, we should do something else," and then interfere and meddle. I am worried that if we just have, again, a clear-cut right of entry in all situations without some kind of understanding the situation and working it through, there could be an intrusion into people's homes where there is a vulnerable person.

I feel the right of entry into a person's home where there is anything going on has to be done very carefully. There is a delicate balance between the rights of that family to privacy and the rights of society to be involved in trying to resolve a concern that has arisen with that vulnerable person.

As this reads now, depending on how the regulations read that follow it up and depending on how it is interpreted by a justice of the peace, if in fact there has been a reluctance on the part of the family to allow an advocate to gain entry or an advocate who does not fully understand the significance of going into a private home and making demands and wanting to see things and have private meetings, this can lead in itself to expectations on the part of the vulnerable adult that might lead to other problems later on when he or she is trying to work with that person.

The fact that right now the legislation does not give the right of entry in all situations is a concern. We do have to address it, but we have to find a way that respects the privacy of the home. I just do not think that we want to be willy-nilly on something like this. We have to make sure that we have drawn some parameters around it. It is an issue that does require further discussion and elaboration.

I know many people who have in their own homes now a vulnerable adult they are caring for. I know, from having talked to a number of them already, they are very concerned with the right of entry that is going to be given to the advocates through this section 16 of Bill 74.

I therefore challenge this House and this Legislature in the public hearings to consider and address very seriously how that can be dealt with in such a way as to not take away the rights and freedoms of those people who are trying to do the right thing in a loving, caring way for that vulnerable adult.

I am concerned as well with one of the issues that comes out of this bill, and it has to do with the possible elimination of volunteers in the important work of serving the community. A number of years ago, I had the pleasure, with John Hanna—there were a number of others, but he has now passed away. I recall very well the first meeting of the mental health association for York region. I guess there but for the grace of God go you and I, because any one of us could suffer the kind of problems that they have. With mental health, it is such a debilitating, terribly misunderstood disease in our society, and yet what we need to do is understand that the government and the law and the system is never fully going to be able to do all that is required to meet the needs of people. Therefore, let's make sure that when we draft legislation we include the role of volunteers

on an ongoing basis towards the ongoing maintenance and support of those who are vulnerable people in our society.

We need desperately to have more people volunteering to go into homes and institutions and wherever to help those people to have a better life. We need to encourage the role of volunteers in our society.

One of the things that came out of the report, *You've Got a Friend: A Review of Advocacy in Ontario*, from Sean O'Sullivan has to do with the importance of volunteer advocates. The legislation in Bill 74 does not, in my view, address the role of volunteer advocates. He goes into his elaboration of the role of volunteers. They will receive training and certification according to standards developed by the central office and their responsibilities will include visiting vulnerable adults in care facilities and in the community on a regular basis.

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I do not think it is the intention of the government that we are trying to force everything into a government bureaucracy, but let's make sure we establish the role of volunteers so that those who have the interest and the care are given the opportunity under legislation to do those things: "visiting vulnerable adults in care facilities and in the community on a regular basis; receiving and investigating problems or complaints of vulnerable adults and working to resolve them through consultation and negotiation; reporting problems, complaints and actions taken...to the regional office."

Further in his report, when he talks about the role of volunteers, he puts a strong emphasis that is lacking in this government legislation, Bill 74. It is as if the government has not read and taken seriously the recommendations of *You've Got a Friend*. I credit the member for St George-St David for the leadership he gave in helping to have this drafted. It is part of the research that should go into the establishment of a better law.

In his closing comments he says, "The training of such volunteer advocates is consistent with our belief that advocacy is not just a function of government; it is part of our responsibility to care for one another as family members, friends and concerned citizens." That says a lot, and I challenge the Minister of Citizenship to review her legislation to develop a sense of the volunteer involvement in this bill. Failing the building in of amendments to this, our caucus will be developing a number of amendments that I hope will be considered by the committee which will give that sense of urgency to the role of volunteers in our society.

Consultation is my third point. The consultation process is inherent to the development of good legislation. I am not sure whom the minister talked to when she was preparing this, but I know there are diverse views on this whole question of advocacy. I just think it is imperative that we go out of our way to solicit their involvement in considering what is right. That is one of the problems we are going to have. If we are in a big hurry to have marks up on the wall so that the New Democratic government says, "Okay, we've got so many pieces of legislation passed," the Liberals did this all the time. They would come along and say, "Hey, we've done all this at once."

It does not do any good to the society in which we are trying to serve unless we do it correctly and well. The minister can say hopefully, "We will have second reading by the time we rise here on 27 June," and not try to set an artificial deadline of one or two weeks to listen to all the different groups that have something to say on this bill. There should be time for society, for the churches and for the professionals to react to it. The minister should let the different community groups react so that when we are finished we definitely have a piece of legislation there is a broad base of consensus on.

Then when the honourable member for Prince Edward-Lennox-South Hastings says there will not be anyone falling through the cracks, together we will have a sense that we have addressed those concerns—the individual I described in Unionville, the schizophrenic, the mother with a handicapped son who has worries about how she can get information on him. These and many other issues will have been faced up to.

I lead to my next point. As an active member of the Kidney Foundation of Canada, I wonder about the definition of "vulnerable". That is the problem in our society: How do you define different things? When we were hearing about the Solicitor General's new legislation for Sunday shopping, we said, "What is the definition of a tourist area?" The fact of the matter is, that is not inherent in the legislation. The New Democratic government has not defined what a tourist area is. I will come back to this issue.

Let us then define what a vulnerable person is, what it takes to make up that person and what we are talking about. There is a grey area of: Is it Alzheimer's? Is it different forms of dementia that fall into it? Are there certain ways in which we can begin to define who a vulnerable person really is? I said earlier "what a vulnerable person is." I did not mean that. I meant who is vulnerable and who then would fall into the definitions we are talking about in this legislation.

I know the intent of the legislation is something we can all applaud. It is now a matter of taking the intention into the kind of legislative action, the legislative agenda, that will permit this government and this Legislature, all parties and all people from the province to say, "Yes, I have had something to say and something to do about these important pieces of legislation," and where the people will all become better advocates when we are finished. There will not just be a group of professional advocates out there fighting for vulnerable people, but every one of us in the province of Ontario will accept a greater role and responsibility to make sure that those who are vulnerable are being cared for and that we accept it in a responsible way. At the same time, may we all go away with a better sense of whose responsibility it is to have guardianship and whose responsibility it is for consent to treatment.

These are big bills. They are important pieces of legislation, and I am pleased that we have a chance to at least discuss Bill 74 today. I look forward to that opportunity when Bill 74, Bill 108 and Bill 109 will be considered together in committee. When we in this House come back after there has been a full, public and open discussion of these issues where we will have considered amendments

honestly, openly and sincerely, we can then pass bills that will do something to protect those people who need to be protected.

Mr White: I was pleased to be reminded by the member for Markham of the mental health association in York region, on whose board I formerly sat. My wife ran a group in his area called Citizen Advocacy, a program that basically matched volunteer advocates with people who had some vulnerability, often people who were developmentally challenged. It is a problem with a group like this that the member addresses very well.

Obviously there are a number of areas that are very sensitive, for example, the entry into people's homes and the very difficult decision-making advocates are faced with. I think the member spoke about that eloquently. Those are things that can really only be dealt with by someone who has a fair bit of skill and training, such as a volunteer would not possess. Certainly the people my wife organized and trained as director of that group did not really have that training or that level of skills.

However, I think this legislation offers an excellent balance, as through it the commission is able to employ or direct or form programs that would meet the needs of people with very distinct and difficult problems, and also the more general problems that perhaps a volunteer could meet. It is a program that would encourage volunteer organizations, because they would be feeding into this group.

With this balance, the legislation is an excellent piece of legislation. It is a program for advocacy sometimes by professionals, but directed and empowered by the very groups it would be speaking on behalf of. For that reason it is an excellent piece of legislation to defend.

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Hon Ms Ziemba: I thank members very much for their comments. I enjoyed listening to them and am glad to see that people have a concern and understand the non-partisan attitude we should approach when we look at the Advocacy Act.

I also want to reiterate what we discussed in the debate last week: the fact that this particular bill was considered extremely important. We wanted to get it on the table quickly to make sure we had discussion on it. The other two bills will be coming forward for second reading. With the consent of all members of the House, we hope we will bring all three bills together in the standing committee on administration of justice. That is our intention. I have the recommendation from our whip that this will happen and that we will be able to do that in committee. I am looking forward to the comments that come through the committee, because I think it is extremely important.

I also want to mention the definition and have members look on page 2 in section 2 where it talks about the definition of "vulnerable person." Then, if members look on page 7, section 15, it gives categories, and people with Alzheimer's, people who have various disabilities we have been talking to, are addressed in those particular areas of concern the members raised.

Yes, there will always be a concern about how we deal with people who are violent and who have extreme problems. We

hope that when we get into committee, when we get our advocacy commission set up as well, with people who represent vulnerable persons and their organizations, we can address some of these areas of concern.

I certainly look forward to working with members to share those concerns with me and to bring forward their ideas and comments, because we want to make this a piece of legislation that will address all the areas of concern. I understand the members' concern about balancing the two, the right of society and the right of the vulnerable person, and that definitely is our concern.

Mr Cousens: I appreciate the comments, first, from the member for Durham Centre. The worry that comes through his comments is to—let us be careful we do not become too professional in the provision of services to society; exactly how we define a professional and someone else who is just loving and caring and is able to give a service.

I do not expect we are going to solve that one in a two-minute debate, but I lean to the fact that we somehow will overprofessionalize services in our society if we are not careful, and then you end up having them with special standards and other things. It happens with Meals on Wheels where they are saying, "You've got to have this, this and this," whereas it started out to make sure you were doing something right for those who otherwise could not have proper food.

If I could just make one suggestion: Understanding the difficulty of defining it, we will be able to look at it in greater depth once it goes to committee, and it may well be refined in different ways. What the Citizenship minister may well do—and may I suggest it with the resources she has got—is put together a summary document that breaks the three bills out into one large sheet so we can begin to see where they overlap, where one serves the needs of society and where she has other bills and pieces of legislation that are looking at it.

As it is now, it is still a nightmare for the non-legal mind. I realize it is probably easy for the bureaucrats and her staff who are doing it all the time but, for people from the community, it would be so much more helpful if in layman's or laywoman's language, she had something that was easier to understand and put the three bills in perspective with each other. I appreciate her intent; let us hope we come out with something that works.

Hon Ms Ziemba: First of all, I would like to thank all members of the House who participated in this debate. I feel very good about the participation and the fact that people took an interest in this extremely important act and showed a non-partisan attitude towards it. Some people who spoke got a little carried away, but others made sure they kept on topic and certainly addressed the important issues.

Advocacy and this Advocacy Act and the rights of vulnerable persons are extremely important in our society. All of us, as my colleague in the opposition in the third party said, have a responsibility to make sure vulnerable persons are cared for, that we understand their needs and that they have a voice in our society, a rightful voice.

I am looking forward to getting into debate in committee. I think it will be extremely important to hear all comments. We have heard comments already in our office about concerns, but also the fact that people are excited that finally, after 15 years of many documentations, of many reports coming forward, an act is being introduced that will be strong legislation to set a cornerstone for all vulnerable persons, and also that we will lead in the rest of Canada and North America with our piece of legislation. So I am looking forward to hearing everyone's comments and opening up a good debate, as I am sure will happen.

I also want to reiterate our position. Family and friends have an important role to play for all vulnerable persons. We do not deny them that. Our party supports family; it is extremely important with all of us. But sometimes family and friends need a helping hand, and there are people in our society who do not have family and friends to support and help them. In that particular case, we must have a mechanism in place to ensure that all vulnerable persons have an advocate, somebody who will speak for them, not on their behalf, but for them and express their wishes, to be able to carry through with what they would like to have happen with their lives.

I also want to talk about the volunteer aspect. Yes, it would be nice if all of our initiatives could be put forward by volunteers. Unfortunately, as we see in our society with our aging population, with the growing difference of the demographic changes happening in our society, volunteers are at a premium, they are not always there and they are not always ready and able to take on the work of a vulnerable adult.

Vulnerable adults take a long time to understand how to express their wishes. We cannot have volunteers coming and going in particular situations. We have to have somebody who will be there and will be assisting them. If volunteers want to help, and there are agencies that have volunteers that are appropriate, yes, they can play a role in our new bill. But we must remember that volunteers are not always there and we have to have a mechanism in place to make sure that people's needs are addressed, and that people have an advocate to speak on their behalf when there are no family and friends to do that for them.

Again, I really am looking forward to bringing all three pieces of legislation forward; it is a forward move. We are pleased we have had this opportunity for the debate in the House, an interesting debate. Good concerns were raised, important issues raised, and we look forward to hearing more of those and to working together. I think that is very important, as my colleague from the third party mentioned, that all of us have the responsibility to look after our vulnerable society, that we are all responsible and should work together on this piece of legislation to make sure that happens. It will benefit all of us because, who knows, any one of us could be a vulnerable adult in the future.

Motion agreed to.

La motion est adoptée.

Bill ordered for the standing committee on administration of justice.

Le projet de loi est déferé au comité permanent de l'administration de la justice.

ONTARIO LOAN ACT, 1991

LOI DE 1991 SUR LES EMPRUNTS DE L'ONTARIO

Resuming the adjourned debate on the motion for second reading of Bill 81, An Act to authorize borrowing on the credit of the Consolidated Revenue Fund.

Reprise du débat ajourné sur la motion de deuxième lecture du projet de loi 81, Loi autorisant des emprunts garantis par le Trésor.

The Deputy Speaker: I believe the member for Etobicoke West had the floor the last time, unless you prefer somebody else takes over?

Mr Stockwell: It is a valid suggestion, but I think not. I was just in the beginning stages, I think, of discussing the loans and the moneys needed to operate the government for the next—I forget the term—and we were talking about the debt, the deficit and exactly what was being accomplished by this government in its borrowing needs and the budget it brought down in April.

I will be very clear. I would like to say off the top that the borrowing being undertaken by this government, the \$9.7 billion, although I am certain it is well-intentioned by the members opposite, and probably a belief by the members opposite that it will have some kind of major impact on our economy—they suggested it will fight the recession. In my impression, the \$9.7 billion is (a) being totally overestimated by this government with respect to how much work or how much the economy will turn around by the inclusion of this expenditure by the government; \$9.7 billion truly is playing in the margins of an economy such as a province like this. When you are talking \$200 billion plus of gross domestic product, it seems to me that \$9.7 billion—again, probably a thought that crossed their minds is that this would be a well-spent \$9.7 billion and somehow jump-start the economy.

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It is a pleasant thought in theory, in back rooms somewhere. It may make sense to certain members opposite, but in reality it is not a significant amount of money to pump into the economy of the province. It is overestimating the worth and, as I said before, it is not going to make a major impact on Ontario's economy. In turn, what we have is a lagging, sagging economic forecast.

If the intent was to jump-start the economy, the deficit for this year's budget is basically wasted money. It is wasted because the private sector is the one which is going to have to jump-start the economy. How does the private sector jump-start the economy? Through expansion, growth, rehiring all those people who were laid off, and so on and so forth. Governments do not jump-start an economy, and it has been proven time and again in history that governments never did jump-start an economy.

The suggestion comes from—I think it is the member for Durham landfill west, or something; I am not sure. I am sure when he was teaching the students and pupils that he taught in his previous life, he probably taught them otherwise. But when you get into the private sector and

understand what the realities of the private sector are, you understand that although in theory one may sit around in classrooms and espouse this pap, it just does not work that way.

The \$9.7 billion will be the proof of the pudding. We will see exactly how quickly this economy spins out of this recession and exactly how successful the government has been. If they want to counteract a recession in the province, some would suggest the best way to do it is to run a debt. If they are intent on running a deficit and they believe we must run a deficit to allow the economy to jump-start itself, the best method would be simply to reduce taxes.

An example would be a provincial sales tax reduction. A provincial sales tax reduction of one or two points would have added up to a total in the range of \$2 billion; that is \$2 billion at a two-point reduction. It would have made the border cities far more competitive than they are today. It would have allowed the economy to jump-start because it would leave the money in the hands of the consumer. Hopefully, the consumer would then go out and purchase because of the reduction in the provincial sales tax. That way it gets the manufacturing sector operating at a higher pitch.

The difficulty of collecting the money and then running a deficit is that the money has to go through the hands of the bureaucracy. There is no doubt in anyone's mind, even in the minds of the members opposite, that the bureaucracy tends to spend a lot of money and is very costly to maintain. They are not nearly as efficient with their money as the private sector would be. So you cut out the entire government sector by reducing taxes, thereby jump-starting the economy.

I am not suggesting for a moment that a 2% reduction would jump-start the Ontario economy, but it would have been a far better expenditure than this mistake that was adopted by the NDP. Again, the proof is in the pudding. We will see how this government manages its debt over the next three or four years.

They make great strides. They make great statements in suggesting that 11 or 12 cents in revenue dollars is used to service the debt. What they do not understand is that in 1984 when the Conservatives were in power, our take from gross domestic product was 14.1%, I think the number was. It generated X amount of money, and we took 14.1% out of the economy for taxes. In 1994, according to their timetable, it is going to be over 16%. With an increase in taxes, they are taking more and more money out of the economy to run government, thereby leaving less and less in the private sector so it can create jobs, hire new staff, approve expansions and so on and so forth.

As it grows, the government is taking more and more and more money. When the recession hit, they still needed the money to operate government, although the private sector was not producing as much. So there is a drop, but their percentage continues to increase.

As far as revenue numbers are concerned, there is not a whole lot of difference between 1984 and 1994. The problem is, the amount they are taking out as a percentage of gross domestic product is considerably greater. They are

sucking the lifeblood out of the private sector. There are lot of taxes that do that, but clearly when you compare 1984 to 1994 and the percentage of money being taken out, considerably more is taken out of the private sector by the socialists of the province of Ontario.

Arguments are made all the time about the federal government and the its high interest rate and high dollar. I have no argument with that kind of theory, but that theory cuts both ways. If having a high debt and deficit at the federal level causes high interest rates and high dollars, how can the suggestion be made that a high debt and a high deficit at the provincial level would not in fact do exactly the same thing? It does. There is not an economist in the world who will not say this, who will not ask, if Ontario goes out to borrow \$10 billion this year, where the money will come from.

Most of the money will come from offshore: Hanover, London, New York, etc. That money comes in from offshore. Why do they invest the money in this country? The simple answer is because they are going to get better return on their investments due to higher interest rates to attract the investment. Very simple. Every economist will agree with that. What is the sum total of higher interest rates because you want to attract offshore money? You support your dollar.

Mr Wiseman: You and Reagan would get along very well. Reaganomics.

Mr Stockwell: The member for Durham West can mouth the party line all he wants. He should find me one economist who is going to argue that point. Not one, except him. I think he taught grade school in Durham, so I do not know if that is a really valid argument.

The next argument that is made is that high interest rates and high dollars affect the Canadian economy. Yes, they do; no question about it. Why do we have high interest rates and high dollars? We have high interest rates and high dollars because they go out to borrow money: borrow \$400 billion federally and a doubling of the debt provincially. It cannot be argued. Any economist will make this point. Any economist will put any member of the NDP socialist caucus in his place when he suggests that this is not true. It is a fact of life. They may not like it, but it does not change the facts. They do not have to accept it, but I do not know anyone who is going to endorse any other principle. I do not know anyone who is going to say that is wrong.

Mr Runciman: Bob White.

Mr Stockwell: Maybe Bob White, but I did not know he was an economist.

Mr Runciman: But he changes his mind a lot.

Mr Stockwell: He changes his mind. Exactly.

A socialist government is basically a theory that uncontrollable government debt will lead to a prosperous economy. That is what they believe. If they do not believe that, why do we have an uncontrollable government debt? It is that simple. It is the belief that by running up \$35 billion in the next four years for government debt, they will create a prosperous Ontario. That is unbelievably naïve.

If they were going to the bank to borrow \$10 billion and the bank manager said: "That's fine. I'm prepared to lend you \$10 billion. How do you plan on paying it back?" their response would be, "I don't." It is obscene. It is absurd. It is not even kitchen-table economics. Grade school children would understand that running a debt, doubling your debt in four years, running a deficit of some \$10 billion will not lead to a prosperous economy. It simply relegates you to the status of a Third World nation; that is all it does.

One of the suggestions from across the floor is that we should devalue our dollar. The brain trust that got together to think of that one obviously must have thought for about 22 seconds, banged heads together and then come out and suggested that is a good idea. Brazil devalues its dollar hourly. Is that the kind of pinnacle that we are trying to achieve as an economic comparison—Brazil? We will devalue our dollar. We will borrow \$10 billion, \$35 billion over four years, and we will be dancing in the streets because it will be as prosperous in Ontario as anywhere in the world. Unbelievably naïve.

The other suggestion is that by having an uncontrollable debt, an uncontrollable deficit, they are in four years going to take the deficit of \$10 billion down to roughly \$8 billion. Astounding—a marvel of economic and fiscal control, unbelievable ability to control the finances. They are going to go from a \$10-billion deficit to an \$8-billion deficit some four years later, incurring a total of \$35 billion over four years, and introduce, I might add, to the over-taxed community of Ontario that will be so prosperous in four years because we are going so much into debt, some \$8 billion in new taxes to take the deficit down from \$10 billion to \$8 billion.

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Let's take this one step further. If they were going to wipe out the deficit—like they suggested they would if they are given a second term, which I highly doubt—they would then have to increase taxes by \$32 billion to wipe out an \$8-billion deficit. My friends across the floor are a sorry, sorry lot. They are simply borrowing today to keep their necks out of the political noose from their hard-core supporters, with no idea how or when they will pay this debt; none whatsoever.

One could go into cabinet or caucus. No one knows how they are going to pay this debt. No one cares how they are going to pay this deficit. Their financial knowledge and logic could be put in the smallest thimble that you could find in any kitchen in this province.

We think, in this party particularly, that this government, through its high interest rates and high dollar policies, is fundamentally driving the border communities out of business. They are driving them out of business because they are borrowing like no provincial government has ever borrowed and they are increasing taxes on the exact components which the border communities requested they do not.

If this is not a government out of touch, I do not think there is one anywhere in the world that is as out of touch as this group. They must get polls like we get polls. They must understand that this particular approach is not an

acceptable approach to the people of Ontario. It is not an acceptable approach from the finance ministers who are meeting, I believe, in PEI this week. They have almost to a person come out suggesting that the Treasurer has brought forward one of the worst budgets the province of Ontario could have brought forward, and those kinds of damning economic numbers will be traced to their provinces as well. This is the kind of leadership we are getting from a lacklustre, mindless group of socialists.

Mr Elston: But how do you really feel?

Mr Stockwell: Now, how I really feel. On most issues I can see, I suppose, a bright side, a silver lining, or at least I can throw my arms up and say, "Well, they'll be gone in four years and you can change it." Most issues you can say that about. The dilemma that we are faced with here today is the knot that they are going to tie this provincial economy up in. The red tape that the private sector is going to have to work its way through, the hoops they are going to have to jump through, are going to be so unbelievably onerous that I am not sure anyone will have the capacity to unravel the mess they created. That is the difficulty.

The second problem is, they will have borrowed their way to the poorhouse. They are incompetent and they do not have the capacity to run a pop stand, but they are in charge of a province. The difficulty we are faced with, because they could not organize a two-car funeral, does not make any difference in this House. Their lacklustre, shortsighted, socialist dogma decisions are introduced as legislation. So now in four years we are going to be \$70 billion in debt, with an \$8-billion deficit and with no hope of any growth in the private sector manufacturing sectors; the border community retail operations will be closing down, there will be people out of work, and we will be charted for economic ruin. I am not certain anyone can fix the mess up that these people left in four years.

Mr Mahoney: We will give it our best shot.

Mr Stockwell: And I will too. In closing, the difficulty that the people whom I speak to, the people whom I—

Interjection.

Mr Stockwell: I know the Liberals increased taxes and ran up the debt, and I thought they were bad, but they could not shine the socialist shoes when it comes to spending money. Their debt in one year was more than the Liberals accumulated in five years in office. In four years they are going to accumulate more than every government in this province did in the first 125 years or so. That is absolutely unbelievable.

What a compliment. That is the best I can think of the Liberals: When it comes to spending money, they could not shine the socialist shoes.

The big difficulty the people of this province are faced with and the major concern I hear about weekly is that the government is not listening to the people, the taxpayers, in the province of Ontario. They are going to go ahead and try and borrow, I think it was, \$12 billion or something to open up and operate the province. What is \$12 billion to socialists? I know it is not a lot, but the people of this province are trying to send the members on the other side of the House a message. The message they are trying to

send to them is: "You're misguided. You haven't understood the message that we were trying to deliver on that September day in 1990. Your financial attitude is wrong and there is no one brave enough to stand up in that caucus and say so."

The people in my constituency have asked on a number of occasions: "How do you go about impeaching a government? How do you go about changing a government?" Because clearly—

Mr Duignan: How about Brian, your friend?

Mr Stockwell: Well, the member for Halton North will have a job back at the co-op, right?

They are not in favour of the economic approach that this government has adopted.

In closing, I would suggest to the government today that the mistakes it is making are unacceptable to the electorate. They are unacceptable to the union workers whom it is going to put out of jobs because they are no longer going to have a job to go to because it is not going to be competitive to operate in this province. They are unacceptable probably to the rank and file in the NDP operation. As one of the deputants to the Mike Harris task force put it, I do not think they are going to be satisfied until everyone in this province is on welfare.

Mr Scott: I wonder what is going to happen when they go home in July?

Mr Stockwell: That is a very good point and I think I may bring this up as well. When the members go home in July and they are still living in this unbelievable fantasy land—and a fantasy land it is—their constituents and the polls have indicated it—I know they have polling firms out there polling and they are not telling them what a wonderful job they are doing. Those polls are not saying "You're number one in the polls" any more. Those polls are not saying, "Keep up the good work, you socialists." Those polls are saying the same thing our polls are saying. The government is dropping so fast it is crystallizing. The reason is their misguided financial and economic policies.

In closing—

An hon member: This is the third time.

Mr Stockwell: I may say it five more.

In closing, I would request that the Treasurer withdraw the budget he introduced on 29 April. He should listen to the people of Ontario, to the other finance ministers across this province, to the constituents in all four corners of this province and withdraw his budget and get back to some basic financial and fiscal understanding on how we are going to deal with this recession and stop closing plants, stop seeing people get laid off and stop the closing of border communities because they are no longer competitive.

He had better get his act in gear and re-evaluate where he is going because he is taking us down a road of economic ruin that I am not sure even the vaunted Conservative Party of Ontario can repair.

1750

Mr Bisson: Mr Speaker—

The Deputy Speaker: Take your seat, please. When the Speaker gets up, members always sit.

Before I proceed with questions and comments, I would like to bring the members' attention to the west gallery and recognize Jim Snow, the former member for Oakville and the former Minister of Transportation and Communications.

Mr Bisson: Mr Speaker, I stood before you had a chance to stand. That is why I was so quick on my feet.

It really is interesting to listen to the member of the opposition from the third party play his game of shells. He is moving a shell game here, trying to make people believe that the policies of the federal Tories have nothing to do with the ills of the economy of this country that we face, and that all of a sudden, magically, on 6 September all of the blame with regard to the economic disaster we find ourselves in in this country, because of Tory policies, is inherited by this government.

We in this government are going to take responsibility in making sure that we have a planned way of being able to work our way ourselves out of this recession, but it is not going to be done on the terms that are being dictated to us by the member of the third party, because I would beg to differ: It is exactly those policies of the federal Conservative government—yes, I will say the Brian Mulroney government—that put us in this mess in the first place. No, we are not going to follow the same example of Brian Mulroney and his cohorts. We are going to follow a socialist agenda because it is something we do believe in and it is something that works. We would point to countries such as West Germany that have been doing this kind of model for a long time. It works very well over the years.

Interjections.

Mr Bisson: We have them yelling on the other side of the House. They need to listen to the truth. They really do, but the point is that we hear them speak and we hear them yell, but we understand that what they are trying to do is shift the blame for what is happening with regard to our economy on to this government when it was not us that caused this. We inherited this mess, and we shall fix it.

Mr Mahoney: I guess what bothers me and I think my colleagues and the public at large—

Mr Bisson: You don't trust us.

Mr Mahoney: Of course I do not trust them. They know that. I do not trust socialists. There is no big secret there. The socialists—

Mr Bisson: No, you are paranoid.

Mr Mahoney: Say that with feeling. What concerns me is that they seem to be more concerned about blaming somebody else who has absolutely nothing to do with their lack of fiscal responsibility.

Let's just take a look at the real problem here. They should picture themselves running a household and having to run an overdraft, and so they run the overdraft and at the end of the year they go to their bank manager and they say, "Sorry, I can't pay off the overdraft, so what I want you to do is I want to pile it on top of my mortgage."

Hon Mr Pouliot: I have no mortgage problem.

Mr Mahoney: The member has no mortgage. I am sorry. The rest of us have to face reality.

They pile it on top of the mortgage and then they have increased mortgage payments. They did not increase their revenues, unless they are going to go and lay it on the taxpayers some more, so they do that in year one, and then they say to their bank manager, "Now that I've paid off my overdraft with this mysterious fiscal mentality, I would like you to give me another overdraft." He gives them another overdraft and they run that up for a year and they go at the end of the year and say: "Sorry, same deal, same story. I can't pay off my overdraft. Put it on my mortgage." That is exactly what they are doing.

The problem is that it is our children who have to pay the mortgage, not them. It is the legacy they are going to leave in taking this province from \$39 billion in debt today to \$76 billion in debt when we get a chance to boot them out of office: a \$76-billion mortgage from \$39 billion. That is irresponsible. It is insane. It is not good sound economics. They are going to ruin the economy of this province and we are going to have to rebuild it.

The Deputy Speaker: The member for York Mills.

Mr Turnbull: I will defer to my leader.

Interjections.

The Deputy Speaker: Order. The member for York Mills, you were the first one to stand. Therefore, I recognize you and you have the floor.

Mr Turnbull: In fact, Mr Speaker, I was the first one before the last speaker, but you did not recognize me. I will be brief.

I would say to the member for Cochrane South that history does prove out what he is saying. He talks about Germany. As a matter of fact, when the socialists were in power in Germany, it was often said that Schmidt was really a conservative and that the rest of his party was out of step. But I will recount the fact that during the last election, when the socialists were defeated in Germany, there were massive amounts of money ready to move across the border because they did not trust Mr Vogel, who would then have become the leader of the socialist government. He was truly a socialist of the stripe of the member's government. There was not sufficient investment put into the West German economy during the years of socialism. If the member knew anything about the world, he would know that.

I have lived and I have worked in Germany, Austria and Switzerland, as well as Britain and Canada, and I can assure the member that those countries that have had socialist governments have failed. Mrs Thatcher had to pull Great Britain back together after all the years of the ravages of socialism. The Mike Harris task force has indeed—

The Deputy Speaker: Thank you.

Mr Mammoliti: I do not often get up here and talk, Mr Speaker. When I do, you know that I am a little teed off.

First of all, to the member for Etobicoke West, do not act like God, sir. The job is taken.

The Deputy Speaker: Please address the Chair.

Mr Mammoliti: I am sorry, Mr Speaker. I will address the Chair.

Second, the member for Etobicoke West talks about border communities, so the question would be to the member, and that is through you, of course, Mr Speaker, why has he not been in committee for the past two weeks? The committee, I would like to remind him, is dealing with this particular topic. He talks about taxes and how much of an expert this individual is on taxes and how we could jump-start Ontario by reducing taxes. I would ask the Speaker whether or not he has spoken to his colleagues—

Mrs Marland: On a point of order, Mr Speaker: The member for Yorkview has just assigned a motive to the member for Etobicoke West by suggesting that had he been in committee the last two weeks. We already know in this House that we do not refer to members' absences, because the common sense is that in so doing we can incriminate on anybody's absence without knowing the cause. I would ask him to retract his insinuation against the member for Etobicoke West out of common courtesy.

The Deputy Speaker: The point of order is valid. You are not supposed to refer to anyone who is not in the House. Because of the interruption, I will give you 30 seconds to finish what you had to say.

1800

Mr Mammoliti: In order to expedite things, I will retract what I said then. The member talks about reducing taxes to jump-start Ontario. I would ask him whether or not he has talked with his colleague in Ottawa and whether or not he has asked his colleague in Ottawa to reduce the GST or to eliminate the GST completely, because that is the problem here and that is why we have had to do what we have had to do.

Mr Stockwell: First, the last couple of weeks I have been touring, on the Mike Harris task force, across the province and I have been to many towns: London, Hamilton, Cornwall, Kingston, Ottawa and Peterborough; I was in Oshawa for a little time.

It was quite a while and that was where I was for the last couple of weeks, hearing from constituents who have great opposition to this budget that the government has brought forward. I think before the member makes a suggestion next time, he should check up on his facts.

Interjections.

Mr Stockwell: They do not get a lot of time to talk in caucus. This is their first opportunity.

I did not address the federal government's budget. I did not address the federal government's attitudes to certain policies that it brought forward. I did not address them because I did not get elected to the federal House. I got elected to the provincial Legislature, just like the members opposite did.

All I talked about was the \$9.7-billion deficit, which the government did all on its own. I talked about a billion dollars in new taxes that it did on its own. I am talking about \$8 billion in new taxes over the next four years, which it did on its own. I am talking about increases in alcohol, cigarettes and gasoline taxes, which it did on its own. I am talking about the fiscal mismanagement and inability of the socialists to manage the economy of a province this size.

Those people did it. Those people have adopted these policies, regardless of what the federal government has suggested. I was simply trying to enlighten them on exactly how often I get addressed by the public to tell them how wrong it feels their policies are. As I said in the House one day, nobody put a gun to their head to run up the debt, to run up taxes and to ruin this province, but they are doing a good job at ruining the province. Maybe if they addressed the problems in Ontario a little more often than Canada, they might do a lot better job. I thank the members for their attention.

The Deputy Speaker: Are there any other members who wish to participate in the debate? Shall I then put the question?

Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Call in the members.

Interjection.

The Deputy Speaker: Order, please. Pursuant to standing order 27(g), it requested that the vote on the motion by the Honourable Floyd Laughren for second reading of Bill 81, An Act to authorize borrowing on the credit of the Consolidated Revenue Fund, be deferred until after routine proceedings on Tuesday 11 June 1991.

Vote deferred.

Le vote est reporté.

The Deputy Speaker: Pursuant to standing order 33, the question that this House do now adjourn is deemed to have been made.

MINISTERIAL RESPONSIBILITY

The Deputy Speaker: Pursuant to standing order 33, the member for Mississauga West has given notice of his dissatisfaction with the answer to his question given by the Solicitor General concerning letters sent to members of the judiciary and the Attorney General regarding constituents' parking tickets. The member has up to five minutes to debate the matter and the minister may reply for up to five minutes. Start the clock again at five minutes.

Mr Mahoney: I would like to say in opening that I actually regret having to do this. It could have been avoided quite simply if the minister had even made the slightest attempt to answer what I thought were some very reasonable questions put forward. I was not getting excited, like some others have done in regard to this minister with the outrage and the answers he has given. I put forward some very legitimate concerns, and he chose to stand up and simply read from newspaper articles from some of his local newspapers talking about supporting him and that he should have the benefit of the doubt. That was not the question that was asked at all. The purpose of a late show, in my understanding, is to say how dissatisfied I am with this minister's answers and frankly with his total lack of respect for the procedures in this Legislature.

Considering the amount of time the Solicitor General spent on this side of the House, I would have thought that he, among all members, would have respected the right

and the role of the opposition to ask penetrating questions and to demand reasonable answers and would not have been a smart aleck in standing up and simply reading and quoting from newspaper editorials giving him the benefit of the doubt. I mean, I could do the same thing. I have newspaper editorials here that are less than complimentary, that call for his resignation, that admit that he is a man they respect and they respect his integrity as a politician, but they fail to understand how he can simply whitewash himself away from the responsibility he has when members of his staff write letters to the judiciary and to the man who appoints the judges, the Attorney General, and how he can simply stick his head in the sand and then get up and almost filibuster to the point of bragging about his record, instead of answering the questions that I thought were very fairly and calmly put forward.

I take members to the evidence, the letter on the Solicitor General's letterhead. How he can avoid answering this is beyond me, when a member of his staff has written a letter to the Attorney General. I pointed out in the RCMP summary, when I asked the question, that the RCMP analysed the three staff people in the office, and the Solicitor General has said that his senior staff person has behaved in an appropriate manner.

I pointed out in the RCMP summary that the RCMP outlined the probationary staff person who wrote a letter to the justice of the peace on behalf of a constituent. That would be the junior staff. Then there was the intermediate staff, who was outlined as a receptionist. I again would suggest that would not be the senior staff.

The third member of the staff—if there were three, my math would lead me to conclude that the third member would be the senior member—wrote a letter to the Attorney General and said: "Could you please have someone on your staff review the attached and attempt to resolve this matter for"—the name of the constituent. "I should point out that there is a trial date set for March, which this person will not be attending. She does not feel that she should have to incur expenses to defend herself when she is so obviously innocent."

The senior member of the Solicitor General's staff has set herself up as the judge in this matter and has accepted the word of the constituent, which may or may not be legitimate, and asked the Attorney General to have someone investigate it and solve the problem prior to the court date so that this individual can avoid the expense of travelling here to appear on that court date.

It may be that this person is innocent. I am not questioning that at all. What I am questioning is how this minister can defend this person who has written a letter to the Attorney General and then stand there and smugly and in a smart-aleck, almost contemptible way simply read from a newspaper article about what a wonderful person he is. I am embarrassed by that kind of answer.

I know the public feels that he ignored the question with that kind of answer, and I think he owes this House an apology for that kind of flippant remark on such a serious question. I put my questions forward in an honest attempt to get some legitimate answers to what I consider

legitimate questions. Would the Solicitor General take his five minutes now and answer those questions, please.

1810

Hon Mr Farnan: The crux of the matter is that over the last seven weeks the opposition parties have hijacked the agenda of this House. They have used question period, which should be used for the House agenda, and turned it into a personal vendetta. They had a choice; however, unfortunately, they ignored the substantive issues facing Ontario. It is embarrassing, the number of questions that have been asked on the most important ministry, Health, which uses up to 35% of the budget—hardly a question. On Education and Community and Social Services and the Environment, there were no questions being asked. It is unbelievable, it is unfortunate, it is an abdication of the responsibility we all share.

We have a collective responsibility to get on with the substantive agenda of what is important for the people of Ontario. What did the opposition parties use for seven weeks? They discussed a parking ticket and made out of that parking ticket a personal vendetta. That is totally unacceptable.

Out there are the people of Ontario. If one is a miner or has an investment in mines, one has to ask, why were there no questions to the Minister of Mines? If one is a farmer, one asks, why have there not been questions to the Minister of Agriculture and Food? If one is involved in the tourism industry as a tourist operator, one asks one self, why have there not been questions about tourism? Transportation workers, all of these workers, indeed the people of Ontario as a whole have the right to say to themselves, what is happening in this place when the opposition parties totally abandon the agenda of the House and simply are absolutely interested only in filibuster and sleaze?

Here is a record, it will be found in Hansard: 23 April, member for Nipissing; 24 April, member for Nipissing; 25 April, members for Brant-Haldimand, St George-St David, Parry Sound, Mississauga North, Ottawa South, Brampton South. What are they talking about? They are talking about a \$35 parking ticket in which a legitimate mistake was made in processing that ticket.

On 29 April, members for York Centre, Willowdale, Scarborough North. What are they talking about? Agriculture, education, health? No, they are talking about a parking ticket.

On 28 May, member for Oakville; 29 May, member for St George-St David; 30 May, members for Bruce, Oakville South; 3 June, member for St George-St David, Oakville South again; 4 June, member for St George-St David, Leader of the Opposition, Oakville South, leader of the third party; 5 June, member for Willowdale; 6 June, members for Mississauga West, Willowdale, Oakville South. The people of Ontario have to say to themselves, what is going on with these guys? They have got to get real. They have got to start addressing the substantive issues of this province.

With only 12 days left in the legislative agenda, they suddenly discover today that there is a Minister of Industry, Trade and Technology. How can you be in the House

for seven weeks and not ask a question of the Ministry of Industry, Trade and Technology?

Then they are talking about recession. On all of these occasions I have given total answers. I have been open, honest, forthright. I have been patient. Of course, I have been repetitious. They have been asking the same questions.

The Attorney General released the RCMP report. It exonerated myself and it exonerated my staff, and on and

on they went. Nothing will satisfy them, not even a report by the Royal Canadian Mounted Police. It has been laid out as plain as day. I provided all the facts. The RCMP has provided the investigation. Human errors have been made. It is about time they got on with the business of Ontario.

The House adjourned at 1816.

ALPHABETICAL LIST OF MEMBERS

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Speaker: Hon David Warner

Clerk of the Legislative Assembly: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees: Smirle Forsyth

Clerk Assistant and Clerk of Journals: Alex D. McFedries

Sergeant at Arms: Thomas Stelling

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines and to the Minister of Northern Development
			Vice-Chair, standing committee on Ontario in Confederation
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Hon Brian A.	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
Churley, Hon Marilyn	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	
Gigantes, Evelyn	Ottawa Centre	NDP	
Grandmaitre, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities

Name of member	Constituency	Party	Other responsibilities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Chair, standing committee on regulations and private bills
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	Chair, standing committee on resources development
			Parliamentary assistant to the Minister of Energy
Jackson, Cameron	Burlington South	PC	Chair, standing committee on estimates
Jamison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chair of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	Chair, standing committee on resources development
Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Health, Chair of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
Mackenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	Parliamentary assistant to the Minister of the Environment
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation

Name of member	Constituency	Party	Other responsibilities
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
Rae, Hon Bob	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	Vice-Chair, standing committee on finance and economic affairs
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	S-D-G & East Grenville	PC	Second Deputy Chair of the Committee of the whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Hon Fred	Frontenac-Addington	NDP	Minister of Government Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	

Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

COMMITTEES OF THE LEGISLATIVE ASSEMBLY

STANDING COMMITTEES

Administration of justice

Chair: Drummond White
 Vice-Chair: Mark Morrow
 Members: Gary Carr, Robert Chiarelli, Derek Fletcher, Charles Harnick, Irene Mathysen, Gordon Mills, Jean Poirier, Gregory S. Sorbara, Evelyn Gigantes, David Winninger
 Clerk: Lisa Freedman

Estimates

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Finance and economic affairs

Chair: Jim Wiseman
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 Clerk: Todd Decker

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 Members: Donald Abel, Gilles Bisson, Dennis Drainville, Noel Duignan, Margaret H. Harrington, George Mammoliti, Bill Murdoch, Yvonne O'Neill, Ian G. Scott, David Turnbull
 Clerk: Deborah Deller

Government agencies

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 Clerk: Douglas Arnott

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 Clerk: Douglas Arnott

Ombudsman

Chair: Mark Morrow
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 Members: Alvin Curling, Joan M. Fawcett, D. James Henderson, Peter Kormos, George Mammoliti, Bill Murdoch, Margery Ward, Paul Wessinger, Jim Wilson, Elizabeth Witmer
 Clerk: Franco Carrozza

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Chair: Robert V. Callahan
 Vice-Chair: Dianne Poole
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 Clerk: Tannis Manikel

Regulations and private bills

Chair: Ron Hansen
 Vice-Chair: Lawrence O'Connor
 Members: Donald Abel, Will Ferguson, Derek Fletcher, Leo Jordan, Ellen MacKinnon, Frank Miclash, Tony Ruprecht, John Sola, Kimble Sutherland, Jim Wilson
 Clerk: Todd Decker

Resources development

Chair: Peter Kormos
 Vice-Chair: Daniel Waters
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 Clerk: Harold Brown

Social development

Chair: Elinor Caplan
 Vice-Chair: Joseph Cordiano
 Members: Charles Beer, Christel Haeck, Randy R. Hope, Gary Malkowski, Tony Martin, Lyn McLeod, Stephen Owens, Tony Silipo, Jim Wilson, Elizabeth Witmer
 Clerk: Lynn Mellor

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Chair: Tony Silipo
 Vice-Chair: Gilles Bisson
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 Clerk: Harold Brown

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Parliamentary Precinct

Co-Chair: David Warner
 Co-Chair: Noel Duignan
 Members: Dianne Cunningham, Remo Mancini, Kimble Sutherland
 Clerk: Smirle Forsyth

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